CANONS

OF THE

ANGLICAN CATHOLIC CHURCH

AS ENACTED BY THE SYNODS THEREOF

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ON THE CONSTITUTION AND CANONS

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CANONS OF THIS CHURCH

TITLE I – OF THE NAME AND IDENTITY OF THIS CHURCH

CANON 1.1 THE NAME AND IDENTITY OF THIS CHURCH.

§1.1.01 The Name of this Church.

The legal and official name, and name of primary usage and correct ecclesiastical description, of this Church is "The Anglican Catholic Church." The former name and ecclesiastical description of this Church, "The Anglican Church in North America," or its more common form, "The Anglican Church," may continue to be used in those places where it has heretofore customarily been used if approved by the College of Bishops. [1] Previous names and ecclesiastical descriptions have also included "The Continuing Episcopal Church in the United States of America," and "The Continuing Anglican Church of Canada."

§1.1.02 Use of the Name and Ecclesiastical Description in these Canons.

In these Canons, The Anglican Catholic Church shall be and is referred to as "this Church."

§1.1.03 Registration of the Name of this Church.

The name of this Church and other names and emblems held by or directly associated with it shall be registered or filed, or both as the case may be, in places in which the College of Bishops of this Church shall direct, and that this Church be incorporated in such place or places as the College shall, from time to time, direct. [2]

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[1] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to require approval of the College of Bishops for continuance of use of any former names of this Church, in order to avoid confusion with other subsequently-formed jurisdictions not in communion with the Anglican Catholic Church.

[2] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to authorize protections of both names and emblems, including arms and logos, used by the Anglican Catholic Church.

TITLE II – OF THE COMMON LAW OF THE CHURCH

CANON 2.1. THE ECCLESIASTICAL LAW OF THIS CHURCH

§2.1.01 Authority in This Church.[3]

The Church of Christ is a divine institution, created and founded by our Lord Jesus Christ, temporary stewardship of which was entrusted by Him to His personally-chosen apostles, acting collegially, and after them to their chosen successors, the Bishops. Therefore the essential nature, organization, offices, functions, teachings and discipline of this Church are given to us *a priori,* and the Church is without jurisdiction or authority to alter or amend them.

On this principle, the Ecclesiastical Law of This Church is based upon and may declare divine truths, but it cannot create or change them.

§2.1.02. The Seven Oecumenical Councils and the Canons Accepted by Them.

This Church submits itself and subscribes to the Seven Holy Oecumenical Councils of the undivided Primitive Catholic Church and their Doctrine, Definitions, Letters, Epistles, Acts, and Decrees, both doctrinal and synodal, and the Letters and Decrees of the Regional Councils or Synods and of the Fathers received, accepted, and affirmed by the same Oecumenical Councils, all as received in the Church of England through the year 1543, as well as the Canons, Canonical Acts and Decrees, and the Rulings Canonical thereof or made therein, and the Canonical principles expressed therein, as have been accustomed and used in the Church since their adoption and which have neither been expressly altered or amended by positive action of this Church nor have fallen into and remained in desuetude, to wit,

(a) *The Oecumenical Councils of:*

Nicaea I in A.D. 325, Constantinople I in A.D. 381, Ephesus in A.D. 431, Chalcedon in A.D. 451, Constantinople II in A.D. 553, Constantinople III in A.D. 680-681, and the continuation thereof in Trullo, called Quinisext, in A.D. 692, and Nicaea II in A.D. 787; and

(b) *The Regional or Local Councils or Synods of:*

St. Cyprian's Council of Carthage in A.D. 257, Ancyra in A.D. 314, Neocaesarea in A.D. 315, Gangra in the Fourth Century, A.D., Antioch in Encaeniis in A.D. 341, Laodicea in the Fourth Century, A.D., Sardica in or about A.D. 343, Constantinople in A.D. 394, and Carthage in A.D. 419, all as received, accepted, and affirmed by the Council in Trullo by its Canon II, and by the Second Council of Nicaea by its Canon I; and

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[3] The Constitution of this Church, Article XXII, Section 3(b). Added by the XXIst Synod of the Original Province (Athens, GA, 2015) to make it clear that Ecclesiastical Law may not amend or alter the divine truths of The Church.

(c) *The Canons, Decrees, and Rulings of the Fathers, more particularly those of:*
"The Holy Apostles," or the "Apostolical Canons," The Canons of St. Peter of Alexandria, The Canonical Epistle of St. Gregory Thaumaturgus of Neocaesarea, The Epistle of St. Athanasius to the Monk Ammus, The Epistle of St. Athanasius from his XXXIX Festal Epistle, The Epistle of St. Athanasius to Rufinian, The First Canonical Epistle of St. Basil to Amphilochius, The Second Canonical Epistle of St. Basil to Amphilachius, The Third Canonical Epistle of St. Basil to Amphilochius, The Canonical Epistle of St. Gregory Nyssa to St. Letoius of Mitylene, The Canon of St. Gregory the Theologian on the Canon of Scripture, The Canon of St. Amphilochius on the Canon of Scripture, The Canonical Replies of St. Timothy of Alexandria, The "Prasphanesis" of St. Theophilus of Alexandria, "Warnings" or "Commonitories" of St. Theophilus of Alexandria which Amman received on account of Lycus. The Narrative of St. Theophilus of Alexandria concerning the So-called Cathari," The Canon from the Epistle of St. Theaphilus of Alexandria to Bishop Agatho, The Canon from the Epistle of St. Theophilus of Alexandria to Bishop Menas, The Canonical Epistle of St. Cyril of Alexandria to Domnus, The Canonical Epistle of St. Cyril of Alexandria to the Bishops of Libya and the Pentapolis, and The Canonical Encyclical Epistle of St. Gennadius and his Synod of Constantinople to the Metropolitans and to the Bishop of Rome.

CANON 2.2. MATTERS NOT EXPRESSLY LEGISLATED HEREIN.

§2.2.01 Relationship between the Constitution and Canons and the Beliefs of This Church.

(a) The Constitution and Canons of The Anglican Catholic Church are based upon, necessarily frequently express, and must be consistent with, the beliefs of This Church. However, the positive law of This Church is not intended to, and does not, either formulate or create those beliefs but is, instead, subsidiary to and an outgrowth of them.

(b) This Church adheres to the historic, distinctive Anglican approach to doctrinal and theological authority, which begins with Scripture as the inspired word of God containing all doctrines essential for salvation, as interpreted in the light of the Holy Tradition (which is, among other things, a summary of the Church's historic reflection upon the contents of Scripture), and, when necessary, the use of our God-given human reason in a manner consistent with the aforesaid Scripture and Tradition.

(c) As set forth in *The Solemn Declaration* prefaced to The Constitution of This Church, and in *The Affirmation of St. Louis*, This Church claims, and has, no authority to contradict the central Traditions of the Church Catholic or to

reach for itself conclusions that are not matters of the historic Catholic [4] consensus.

§2.2.02 Reliance upon the General Canon Law and General Common Law of This Church.

Matters not expressly covered by legislation but requiring judgement as to whether they are licit, shall be held to be subject to the General Canon Law [5] and the General Common Law of This Church. [6] Sources of this law include: the Constitution and Canons of this Church; the Constitution and Canons of any Province or Diocese or other Jurisdiction of This Church; all other Anglican Laws Ecclesiastical in effect before 1967 [7] and not contrary to, or in conflict with, the Constitution and Canons of this Church or those of a Province, Diocese or other Jurisdiction of This Church. The Church of England formulated the Anglican Laws Ecclesiastical in its Estates in Convocation convoked by Acts of Parliament of 1534 [8] and 1543. [9] Ecclesiastical or other Acts of Parliament subsequent to those of 1543, or acts of other secular legislatures, or secular courts, or determinations of any body or person who acts in the function of a secular branch or Office of State shall not be considered any part of "Anglican Laws Ecclesiastical" in this Church. Anglican Laws Ecclesiastical not expressly altered or amended by a Synod of This Church, or rendered inapplicable in particular circumstances, are incorporated by reference and are of continued force and effect in This Church. [10]

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[4] Amended by the XXIst Synod of the Original Province (Athens, GA, 2015) to make clear that by "Catholic" or "Universal" This Church means the Household of the Faith composed of those particular Churches which (1) descend from the ancient, undivided Church of the Apostles to which we appeal in the historic Creeds; (ii) teach the fullness of the Faith expressed in those Creeds; and (iii) maintain the Sacramental system and undoubted Apostolic ministry that characterized that one ancient Church.

[5] *Corpus Juris Canonici*

[6] *Commune Jus Ecclesium*

[7] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to establish that only such pre-1967 bodies of Anglican ecclesiastical law as do not conflict with the statute law of the ACC, or that of any of its Provinces, Dioceses or other Jurisdictions, are to be considered as Ecclesiastical Law of the Anglican Catholic Church.

[8] 25 Henry VIII (1534) Chapter 19 (The Royal Supremacy and the Prerogative Royal of the British Crown are not operative in the Anglican Catholic Church.)

[9] 35 Henry VIII (1543) Chapter 16

[10] Amended by the XXIst Synod of the Original Province (Athens, GA, 2015) to set aside Acts of Parliament subsequent to 1543 and any other subsequent acts of secular legislatures or by secular officials.

CANON 2.3. EXPLANATION OF TERMINOLOGY USED IN CANON LAW.

Terminology used in the Constitution and Canon Law of This Church may, from time to time, be defined and set forth in an official Schedule and Glossary of Terms annexed to these Canons as may be determined by direction of the Primate of This Church, or the Metropolitan of the Original Province of This Church until there be a Primate, after his taking expert advice and with the consent of his College of Bishops.[11]

CANON 2.4. NORMS OF INTERPRETATION OF THE CONSTITUTION AND CANONS OF THIS CHURCH.

All words and terms used in the Constitution and Canons of this Church, as well as the provisions set forth therein, shall be given their normal meaning and natural construction in accordance with the norms, general practice, and principles of the Laws Ecclesiastical and the accustomed usage of the Church, unless the context shall indicate otherwise, and in accordance with the provisions set forth in Article XI of the Constitution of this Church.

[11] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify that pending the event of the Primacy the Metropolitan of the Original Province may authorize an official Schedule and Glossary of Terms, which shall be Annex 1 to these Canons.

TITLE III – OF ECCLESIASTICAL JURISDICTIONS

CANON 3.1. PROVINCES

§3.1.01 The Provinces.

There are established pursuant to the Constitution of this Church the first Province, titled The Original Province of The Anglican Catholic Church and the second Province, titled The Anglican Catholic Church in its Province of [12] South Asia.[13]

CANON 3.2. DIOCESAN AND OTHER COUNCILS OF ADVICE.

§3.2.01 Councils of Advice During *Sede Plena*.

In every Diocese or other Jurisdiction of this Church there shall be chosen a Council of Advice, which shall serve as the Bishop's Council of Advice to the lawful and proper Ordinary during his tenure of Office.

Dioceses or other Jurisdictions shall be free to designate Councils of Advice by whatever name is customary in that Jurisdiction.

§3.2.02 Guardians of Spiritualities During *Sede Vacante*.

Whenever there shall be a complete and total avoidance and canonical vacancy in a See of this Church, the Council of Advice of that Jurisdiction, not inconsistent with the Authority of the Metropolitan of that Province when such canonical vacancy occurs, shall act as the Guardians of the Spiritualities of the Diocese or Jurisdiction.

§3.2.03 Other Duties.

The duties of the Councils of Advice, except as set forth in the Constitution and Canons of this Church, may be prescribed by the respective Dioceses or other Jurisdictions.

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[12] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to formally establish the first or Original Province and the second Province of India, also to delete the territorial assignments to Dioceses of The Province of India and Dioceses and other Jurisdictions of The Original Province, the latter names being transferred to the Canons of The Original Province.

[13] Amended by the XXIst Synod of the Original Province (Athens, GA, 2015) to insert references to The Anglican Catholic Church and to change the name of the second Province to The Province of South Asia. The nations included in The Province of South Asia are Afghanistan, Bangladesh, Bhutan, India, The Maldives, Myanmar, Nepal, Pakistan and Sri Lanka.

CANON 3.3. ECCLESIASTICAL JURISDICTIONS

§3.3.02 Territories of Dioceses of this Church.

The territories of Dioceses established pursuant to provisions of the Constitution of this Church shall be assigned and defined by action of the Provincial Synod concerned.[14]

§3.3.03 Jurisdiction over Unassigned Territories

The Office of the Primate, or if there be no Primate the Metropolitan of the Original Province of this Church, has assigned to its Ecclesiastical Jurisdiction all territories not assigned to any other Jurisdiction of this Church.[15]

CANON 3.4. MISSIONARY DIOCESES AND MISSIONARY DISTRICTS.

§3.4.01 Establishment.

Missionary Districts may be established by the College of Bishops of this Church unless within a nation under the jurisdiction of a Province. Missionary Dioceses and Missionary Districts may be established within a nation under the jurisdiction of a Province by the College of Bishops of that Province.[16]

§3.4.02 Internal Powers and Authority; Bishop Ordinary.

The internal powers and authority of Dioceses and Districts shall be defined by the College of Bishops of this Church or of a Province, as the case may be. The College of Bishops concerned shall appoint or provide for the selection of the initial Bishop Ordinary for each Diocese or District created, having due regard to the petitions of the Clergy and People thereof.[17]

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[14] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify the Constitutional authority of the Provinces to establish new Dioceses and assign territories to new or existing Dioceses.

[15] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to establish that the Primate, or pending the event of the Primacy the Metropolitan of the Original Province, has Ecclesiastical Jurisdiction over all territories not assigned to any other Jurisdiction.

[16] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify the Constitutional authority of the College of Bishops of this Church to establish extra-Provincial Missionary Districts, and to clarify the Constitutional authority of the College of Bishops of each Province to establish Missionary Dioceses and Missionary Districts within their Province.

[17] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify that definition of the internal powers and authority of Dioceses and Districts is respectively assigned to the Colleges of Bishops of the whole Church or of a Province, according to the circumstances.

CANON 3.5. JURISDICTIONS OF THE ARMED FORCES.[18]

§3.5.01 Episcopal Prelate of The Armed Forces.

The Metropolitan of each Province of this Church, with the advice and consent of his College of Bishops, shall as circumstances permit appoint Bishops to the Military Ordinariate. A Bishop so appointed shall be the Episcopal Prelate for and shall in normal circumstances have oversight of the Military Jurisdiction of only one (1) nation. Any provision of these Canons to the contrary notwithstanding, within any Province of this Church that Episcopal Prelate of The Armed Forces in attendance and most senior by appointment shall serve as Chairman of the Provincial Department of the Armed Forces and shall preside at any Provincial Convocation. The same shall apply, *mutatis mutandis,* to a Convocation held in conjunction with a meeting of the Holy Synod.

§3.5.02 Council of Chaplains of The Armed Forces.

Priests and Deacons serving under Military Orders with Cure and Charge of Souls within the Military Jurisdiction for any one (1) country in this Church, or any Province thereof, together with the Episcopal Prelate for that Military Jurisdiction in such nation or Province, shall constitute the Council of Chaplains of The Armed Forces for that Military Jurisdiction. The Council of Chaplains shall normally meet at least once during each biennium to review the status of the mission of the Church to the Military in that country or Province. Such meeting shall be in Convocation for the transaction of such related business as may be necessary to fulfil that mission.

§3.5.03 Laity of The Armed Forces.

Deaconesses, Lay Readers and Lay Workers serving under Military Orders and implementing the mission of this Church to the Military shall constitute the Laity of The Armed Forces and shall be eligible during such service to be present and to participate as Lay Representatives in any Convocation of or attended by their Military Jurisdiction.

§3.5.04 Other Bodies.

Any provision of these Canons to the contrary notwithstanding, there shall be no Council of Advice, Guardians of the Spiritualities or any standing body within the Jurisdiction of the Armed Forces other than as established by this Canon.

§3.5.05 Officers of a Jurisdiction of The Armed Forces.

There shall be, as the College of Bishops may authorize and the Episcopal Prelate of a Military Jurisdiction may appoint, officers of such Jurisdiction, both Clerical and Lay, as may usefully implement the mission of the Church in that Jurisdiction. Such officers shall bear titles and discharge duties analogous to the officers of Dioceses of this Church.

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[18] Amended by the XVIth Synod of the Original Province (Grand Rapids MI, 2005) to delete former Sections 3.4.01 and 3.4.02 of this Canon and to add the present provisions.

§3.5.06 Convocation.

Any provision of these Canons to the contrary notwithstanding, the deliberative body for the Jurisdiction of The Armed Forces shall be a Convocation as distinct from a Synod. Whenever possible, the regular Convocation of any Jurisdiction of The Armed Forces shall be held in conjunction with and shall precede regular meetings of the Holy Synod and of a Provincial Synod at which Military Jurisdictions are represented. Officers of such Convocation shall bear titles, be elected or appointed, discharge such duties and have terms of tenure of office analogous to the officers of a Synod under these Canons. Such Convocation shall meet in one (1) House, presided over by the Episcopal Prelate of that Military Jurisdiction or his appointed Deputy, and shall take its decisions by consensus except for the election of its officers, of the members of its Court as provided in Section 3.4.10, and of delegates to the Holy Synod and Provincial Synods as provided in Section 8.1.04 and 8.2.04 of these Canons, which elections shall be conducted in accordance with the rules of that Synod. When there are two (2) or more Military Jurisdictions in a given Province, the same shall apply, *mutatis mutandis,* to a Convocation of the Jurisdictions of the Armed Forces for that Province, which shall be held after the Convocations of those Military Jurisdictions and before the Provincial Synod. The decisions of Convocation shall be presented together with its Report and any recommendations or proposed Resolutions to the Holy Synod or to the Provincial Synod, as the case may be. In the event of failure to achieve consensus with regard to any issue, that issue shall be referred to the respective Council of Bishops for determination.

§3.5.07 Canonical Residence, Responsibility and Discipline.

Any provision of these Canons to the contrary notwithstanding:

(a) Each member of the Council of Chaplains and of the Laity of The Armed Forces shall be and remain canonically resident in the Diocese of that member's permanent civil residence, and as to any matters not touching upon the mission of this Church to the Military shall remain responsible to and subject to the discipline of the Episcopal Authority of that Diocese.

(b) As to any matters touching upon the mission of this Church to the Military, each member of the Council of Chaplains and of the Laity of The Armed Forces shall be responsible to and subject to the discipline of the Episcopal Prelate of that member's Military Jurisdiction.

(c) Each member of the Council of Chaplains and of the Laity of The Armed Forces shall be and remain eligible to serve as Clerical or Lay delegates to the Holy Synod or the Provincial or Diocesan Synod of that member's canonical residence, but shall not serve at the same Synod as a delegate of both their Province or Diocese and the Jurisdiction of The Armed Forces pursuant to Section 8.1.04 or 8.2.04 of these Canons. When any Synod has a matter under consideration that bears upon the mission of this Church to the Military, canonically resident members of the Council of Chaplains and the Laity of The Armed Forces shall be accorded the right of voice to address such matter.

§3.5.08 Ordinations, Institutions, Confirmations and Sacraments

(a) Ordination of Priests and Deacons shall remain the prerogative of the Bishop Ordinary of the Diocese of canonical residence of the ordinand. However, when a Priest or Deacon is to be especially ordained for service under Military Orders in implementation of the mission of this Church to the Military, the Diocesan Ordinary, with the concurrence of the Metropolitan of that Province, may by letters dimissory constitute the Episcopal Prelate of that Military Jurisdiction as his delegate to ordain that Priest or Deacon on behalf of the Diocesan. In any such case the Certificate of Ordination shall be forwarded for filing by the Registrar of the Diocese of canonical residence of the ordinand.

(b) Licensing of Deaconesses and Lay Readers, commissioning of Lay Workers, and institution of the same for service under Military Orders in implementation of the mission of this Church to the Military, shall in every case be done by the Episcopal Prelate of that Military Jurisdiction. The Letter of Institution or Certificate of Commission shall be filed by the Registrar of that Military Jurisdiction.

(c) Members of this Church who are either serving under Military Orders or are civilian household members or dependents thereof may be instructed by members of the Council of Chaplains and Confirmed by the Episcopal Prelate of that Military Jurisdiction.

(d) Marriages, baptisms and burials of members of this Church who are either serving under Military Orders or are civilian household members or dependents thereof may be performed by members of the Council of Chaplains of that Military Jurisdiction.

§3.5.09 Records of a Jurisdiction of The Armed Forces.

(a) The Episcopal Prelate of each Military Jurisdiction shall appoint a Registrar of that Jurisdiction to serve at his pleasure. The Registrar shall receive all Journals, files, papers, reports, copies of Chaplains' Register entries, and other documents or articles that are or become the property of the Convocation of that Military Jurisdiction, shall arrange, label, index, and put the same in order, shall provide for their safekeeping and accessibility within the archives established by the Provincial Historiographer; and shall otherwise hold them under such directions as the Convocation may from time to time prescribe.

(b) There shall be a Register of Chaplains and a Register of Laity of The Armed Forces, containing dates of entry into and discharge from military service as well as other information pertinent to such service. Such Registers shall be kept and regularly annotated by the Registrar of each Military Jurisdiction.

(c) Each member of the Council of Chaplains shall keep a Register of Members, a Register of Services and a Register of Marriages, Baptisms, Confirmations and Burials. Such Registers shall be open to inspection by the Episcopal

Prelate of that Military Jurisdiction, or his delegate, and copies of the entries in such Registers shall be furnished at least annually to the Registrar of that Military Jurisdiction. The Registrar shall in turn furnish duplicate copies of the entries in such Registers to the Bishop Ordinary of the Diocese of canonical residence of the person or persons who are the subject(s) of such entries.

§3.5.10 Courts of a Jurisdiction of The Armed Forces.

(a) Each Military Jurisdiction shall have a Court of the Prelate analogous insofar as practicable to the Courts described in Canon 9.1. Elections to each such Court shall be by the members of the Council of Chaplains and the Laity of The Armed Forces of that Military Jurisdiction, and shall take place during each regular Convocation. Appeals from any such Court shall lie to the Provincial Court of that Military Jurisdiction, and as permitted by these Canons from the Provincial Court to the High Court of the Holy Synod.

(b) When the need arises for reference to a Marriage Tribunal of a matter involving members of this Church serving under Military Orders and geographical or other circumstances make it impractical for reference of the matter to the Marriage Tribunal of the diocese of canonical residence of the parties, the Episcopal Prelate of that Military Jurisdiction shall convene a Marriage Tribunal for that Jurisdiction to hear the matter as provided in Canon 9.9.

CANON 3.6. ECCLESIASTICAL PECULIARS.

§3.6.01 Establishment.

The Metropolitan of any Province of this Church, with the advice and consent of his College of Bishops, may establish an Ecclesiastical Peculiar anywhere within his Province and exercise Ordinary Jurisdiction therein, either in person or through his deputy, provided the Bishop Ordinary of the Jurisdiction within which the Ecclesiastical Peculiar lies, with the advice and consent of his Council of Advice, shall have consented to the establishment of such Ecclesiastical Peculiar.

§3.6.02 Episcopal Authority.

The Metropolitan may assign Episcopal oversight, jurisdiction, and his Visitorial Powers to a Diocesan Bishop to administer as if it were a part of that Diocesan Bishop's Jurisdiction. Other than a Bishop, no Clergyman, or no Lay member of any Congregation included within such a Peculiar may be a voting Delegate in any Diocesan, Provincial, or Holy Synod so long as he or they shall retain canonical residence in such Peculiar.

§3.6.03 Disestablishment.

The Metropolitan, with the advice and consent of his College of Bishops, may disestablish at any time such an Ecclesiastical Peculiar situated within his Province.

CANON 3.7. MEETINGS OF SYNODS.

§3.7.01 Character of and Summons to Synods. [19]

(a) In those years in which no Provincial Synod is scheduled to be convened, the Ordinary or Episcopal Authority of each Diocese or such other Jurisdiction of this Church shall summon all Clergymen canonically resident therein, together with Delegates from each of the Congregations, Parishes, and Missions therein, to convene them in a regular Synod.

(b) In those years in which a Provincial Synod is scheduled to be convened, the Ordinary or Episcopal Authority of each Diocese or such other Jurisdiction of this Church may summon a regular Synod as in (a) above or may alternatively summon a Synod composed of the Ordinary or Episcopal Authority, the Council of Advice, any Officers or members of the Standing Committee not members of the Council of Advice, any Clergy of the Diocese or other Jurisdiction desiring to attend, and elected Lay Delegates from any Congregations of the Diocese or other Jurisdiction desiring to be represented. Such alternative Synod shall have no power or authority to elect Diocesan officers or Delegates to a Provincial Synod, or to ratify, enact or amend Canons or other legislation. Such alternative Synod may give advice and consent to Episcopal appointments, adopt Resolutions, and/or modify the budget of that Diocese or other Jurisdiction *ad interim* pending the next regular Synod.

(c) An extraordinary Synod may be summoned upon such occasions and for such reasons as are provided in the Canons of this Church or of the Province, Diocese or other Jurisdiction concerned.

§3.7.02 Conduct of Synods.

The summons, selection of Delegates, and the Synod shall be conducted in accordance with the Constitution and/or Canons of that Jurisdiction.

CANON 3.8. ESTABLISHMENT OF NEW DIOCESES.

§3.8.01 Formation. [20]

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[19] The Title and Text were amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to establish that in years in which a Provincial Synod falls, a Diocese may, for reasons of economy or otherwise, summon an alternative ('rump') Synod without power to elect, ratify or legislate. Regular Diocesan Synods will continue to be necessary in non-Provincial Synod years. Further amended to clarify that extraordinary Diocesan Synods may be summoned for reasons stated in the Canons of the Church and/or Province or Diocese.

[20] Sub-paragraphs (a), (b) and (c) were amended by the XXIInd Synod of the Original Province (Atlanta, GA, 2017) to account for Dioceses which, by established ecclesiastical tradition, are located geographically in whole or in part within the territorial boundaries of one or more other Dioceses.

A new Diocese of this Church may be established by not fewer than five (5) Priests of this Church together with not fewer than ten (10) contiguous non-dependent Congregations or Parishes, each of which has had continuously over the period of the six (6) months previous to such establishment not less than twenty (20) baptised adult members of this Church, amongst whom there are not less than ten (10) Communicants, provided that:

(a) The proposed Diocese shall form a contiguous unit unless areas thereof are separated geographically or whose territorial location(s) are governed by an established ecclesiastical tradition;

(b) The proposed Diocese shall not make any previously existing Diocese or other territorially-defined Jurisdiction cease to be a territorially contiguous unit without the consents required in (d) and (e) below, nor reduce it to fewer than fifteen (15 non-dependent Congregations or Parishes, nor reduce it to having fewer than eight (8) Priests of this Church canonically resident therein;

(c) Except for Dioceses whose territorial location(s) are governed by an established ecclesiastical tradition, the proposed Diocese shall be contiguous with a portion of the boundary of a previously existing Diocese or other territorially-defined Jurisdiction of this Church if the proposed Diocese shall be wholly contained therein.

(d) Consent for the formation and establishment of such new Diocese shall have been previously secured from the Synods of each and every previously existing Diocese or other Jurisdiction over any part of the territory of such proposed new Diocese;

(e) Consent for the formation and establishment of such new Diocese shall have been previously secured from the Provincial Synod or Synods of this Church, provided that, if the proposed territory of such proposed new Diocese shall include territories subject to the jurisdiction of more than one Province, such consents shall agree as to which Province shall have jurisdiction over the proposed new Diocese, and further, in such case, the consent of the Holy Synod shall also be required for the formation and establishment of such new Diocese;

(f) After the required consents mentioned in Sub-sections (d) and (e) above have been secured, none of which may be withheld or delayed unreasonably if those proposing to establish such new Diocese have submitted full and detailed petitions to the Synods, and all territorial and membership requirements of this Section have been fulfilled, the Metropolitan of the Province within which such new Diocese is to be established shall summon into being the first Synod thereof; and

(g) The Metropolitan shall summon into that first Synod only the petitioning Priests and other Clergymen of this Church named in the petition as previously ministering within the authorised territory of such new Diocese, together with Lay Delegates from each of the Congregations of the Parishes and Missions or other Cures located within the bounds of such new Diocese and subscribing to or named in the petition.

§3.8.02 First Synod.

The first meeting of the Synod of such new Diocese summoned by the Metropolitan in accordance with Sub-sections 3.7.01(f) and (g) shall be presided over by the Metropolitan or his Episcopal Deputy, and shall adopt a Constitution and/or Canons of its own consistent with the Constitution and Canons of this Church and of the Province. Until the effective date of the adopted Diocesan Constitution and/or Canons the new Diocese shall be governed by the Constitution or Canons of the Diocese or other Jurisdiction from which the new Diocese drew the greater number of founding Congregations, or, if such cannot be ascertained, then those of the oldest of the Jurisdictions from which it has drawn any of its founding Congregations, except as local circumstances may prevent or, if neither is possible or applicable, a provisional Constitution and/or Canons approved by the Metropolitan of that Province, with the advice and consent of his College of Bishops, shall govern in the interim until the formal adoption by such new Diocese of a Constitution and/or Canons for its own governance.

§3.8.03 Episcopal Authority.

The Metropolitan or his designated Episcopal Deputy shall exercise the Ordinary jurisdiction of each new Diocese, including the Presidency of the Synod thereof, until such time as the Diocese shall have elected a Bishop Ordinary of its own in accordance with Article IV of the Constitution of this Church, the Canons of this Church, the Constitution and/or Canons of that Province, and the Constitution and/or Canons governing the new Diocese at that time, in compliance with Section 6.15.01 these Canons saving the canonical rights of a Bishop-Elect, and such person elected shall have been ordained and consecrated Bishop and shall have been enthroned and installed Bishop of that See or, already being a Bishop, shall have been translated, enthroned, and installed Bishop of that See.

§3.8.04 Council of Advice and Diocesan Court.

At the first meeting of the Synod of each new Diocese, provision shall be made for at least a Council of Advice to the Ordinary and a Diocesan Court through which the judicial authority of the Ordinary shall be exercised.

CANON 3.9. JURISDICTIONS OTHER THAN THIS CHURCH. [21]

§3.9.01 Provisional and Permanent Reception Directly into this Church.

(a) Notwithstanding the provisions of Canon 3.8, a Diocese already constituted, which formerly was a constituent portion of another Church not in formal or canonical Communion with this Church, or a portion of such Diocese, together with its Bishop or Bishops, if such be in Apostolic Succession, may be received into this Church as a new

[21] Amended by the XXIInd Synod of the Original Province (Atlanta, GA, 2017) to delineate the processes by which other jurisdictions or portions thereof may be received into this Church.

Diocese provisionally by the Metropolitan of that Province, with the advice and consent of his College of Bishops, provided that:

(1) Consent previously has been obtained from all Bishops Ordinary of this Church who exercise jurisdiction over any territory included within the Diocese being received, such consents having been given with the advice and consents of their respective Councils of Advice;

(2) All Bishops, Priests, and Deacons of such Diocese, or portion thereof, being received shall subscribe and make the Declarations and take the Oaths required of men entering the Orders in which the Bishops, Priests, and Deacons seek to be received into the Church, and further, shall agree to any ordination or ordination and consecration as need may require, if they do not meet the standards of the Canons of this Church, to supply whatsoever may be lacking;

(3) Under the provisions of Canon 3.7, the Bishop Ordinary of the Diocese being received will undertake to regularise the Confirmations therein not meeting the standards set forth in the Canons of this Church, within six months after the date the Diocese is provisionally received into this Church;

(4) The Synod, or other governing body of such Diocese or portion thereof, seeking reception into this Church, formally shall petition the Metropolitan of the Province for reception into this Church and that Province;

(5) Upon the conditional grant of such petition by the Metropolitan, the Synod, or governing body, of such Diocese, or portion thereof, being received shall ratify the Constitution and Canons of this Church and of the Province wherein the petitioning Diocese or portion is situated, shall formally renounce their former ecclesiastical affiliation, and shall commence the necessary procedures to bring their governing documents into conformity with those of this Church and of the Province;

(6) The conditions described above having been met, provisional reception into the Communion of this Church shall become permanent upon the completion of the necessary consents having been obtained from the Provincial Synod and the Synods of every Diocese, Missionary Diocese, Missionary District or other Jurisdiction which contains any territory included within the Diocese, or portion thereof, being received; and

(7) Each Diocese, or portion thereof, received under the provisions of this Canon shall meet all other requirements for new Dioceses of this Church as may be applicable.

(b) Notwithstanding the provisions of Canon 3.8, a Diocese already constituted, which formerly was a constituent portion of another Church in formal or canonical Communion with this Church, or a major portion of such Diocese, together with its Bishop or Bishops, if such be in Apostolic Succession, may be received provisionally into this Church as a new Diocese pursuant to the provisions of Canon 3.9.01(a), with the additional requirement that, prior to such reception consent previously has been obtained from the Metropolitan or Presiding or Prime Bishop, as the case may be, of the Church from which such

Diocese or portion thereof is withdrawing, and from a majority of the College of Bishops thereof.

§3.9.02 Reception by means of the Patrimony of the Metropolitan.

Notwithstanding the provisions of Canons 3.8 and 3.9.01 a jurisdiction already constituted and not part of this Church, or a portion of such jurisdiction, together with its Bishop or Bishops if such be in Apostolic Succession, may be received into the Patrimony of the Metropolitan upon compliance with the requirements of sub-paragraphs (1) through (5) of §3.9.01. The Metropolitan and his Bishops Ordinary shall consult as to how such jurisdiction should be formally received into this Church. During such time as is required to determine how such jurisdiction should be formally received into this Church such jurisdiction, or portion thereof, may remain in the Patrimony at the discretion of the Metropolitan.

The provisions of Canon §4.5.03 as to participation in Provincial Synods may be applied to such jurisdictions.

CANON 3.10. OTHER DIOCESAN OFFICIALS.

Each Diocese or other such Jurisdiction may provide by Canon for the mode of designation and appointment of Vicars General, Archdeacons, Deans, Vicars Delegate, Canons Principal, Regional or Rural Deans, Canons Minor, Chancellors, Commissaries, and other such officials as shall be deemed expedient or necessary to aid the Ordinary in the administration and government of that Jurisdiction. Such Canons also may define the term of office, and the duties, authority, and responsibilities of each such official and any area of the Jurisdiction in which he may be assigned authority.

TITLE IV – OF THE OFFICE OF METROPOLITAN

CANON 4.1. THE OFFICE OF METROPOLITAN.

Each Metropolitan of this Church has within his Province, by right of Office as the Chief Bishop and Principal Minister thereof, the solemn responsibility and duty to take order for the election to every Bishopric within his Province, to preside over such election, either in his own person or by Episcopal Deputy, or to issue his Warrant of Commission to such person or persons otherwise required by applicable Diocesan Canons or other regulations, so as to provide and to have the oversight and care of the same, to be the Chief Consecrator at the ordination and consecration of every Bishop within his Province, to see to the pastoral care of vacant Sees within his Province, and to hold and make his Metropolitical Visitations at times and places prescribed by the Constitution and Canons of this Church, and by Custom and the Common Law of the Church.

He shall also perform all other duties prescribed for him by the Constitution and Canons of this Church and of that Province.

CANON 4.2. CANONICAL VISITATIONS BY THE METROPOLITAN.

Each Metropolitan of this Church, by the Common Law of the Church, has throughout the Province committed to his charge its pastoral concern and Metropolitical Jurisdiction as Superintendent of all ecclesiastical matters therein, and full Visitorial Powers as their Chief Pastor to correct and supply any defects or deficiencies of other Bishops of that Province during the time of his canonical Visitation as Metropolitan, so that, in behalf of that Diocese or other Jurisdiction, and for the edifying and well-governing of Christ's flock, as the Metropolitan shall deem expedient, means may be taken thereby for the supply of such things as may be lacking or wanting and the correction of such things as may be amiss.

If the Bishop Ordinary of any Diocese or other Jurisdiction so visited objects to or disagrees with the directions and actions of the Metropolitan of that Province in pursuance of his Canonical Visitation, that Bishop Ordinary may file an appeal in writing with both that Metropolitan and his College of Bishops. Thereupon the Metropolitan shall be required, within thirty (30) days of receipt of such appeal, to obtain the assent of a two-thirds (2/3) majority of his College of Bishops to those of his directions and actions to which exception has been taken. If such assent is not secured within that period, then the directions and actions taken by the Metropolitan shall be suspended until the next regular formal canonical meeting of his College of Bishops, and such directions and actions shall thereafter be deemed terminated unless other action be taken by that College of Bishops.

CANON 4.3. USUAL TIMES OF CANONICAL VISITATIONS BY THE METROPOLITAN.

Each Metropolitan shall make his regular Canonical Visitation as Metropolitan, either in his own person or by his Commissaries or other deputies, at least once in every three (3) years to every Diocese and every other Jurisdiction within his Province in order to consult with the Clergy and Laity of the same, and to visit and consult with each Diocesan or other such Synod within his Province as he may deem expedient or sufficient for such visitations.

CANON 4.4. OTHER METROPOLITICAL VISITATIONS.

On occasions other than stated or accustomed times of Canonical Visitations by the Metropolitan of the Province, and upon adequate memorial and petition requesting the Metropolitan to exercise his Visitorial Powers in any Diocese or other Jurisdiction within his Province, the Metropolitan shall attempt to achieve a reconciliation of any conflict involved and a resolution of the problem. Failing to achieve the same, the Metropolitan shall have full power and authority to make, either in his own person or by his Commissaries or other deputy, or deputies, such Canonical Visitation, as he may deem expedient, to both the Diocese or other Jurisdiction and the Bishop or Ordinary thereof.

CANON 4.5. APPOINTMENT, ESTABLISHMENT AND CREATION OF A VICARIATE GENERAL OF THE PATRIMONY OF THE METROPOLITAN.

§4.5.01 When the Metropolitan may take Immediate Pastoral Care and Oversight.

Upon receipt of allegations of canonical or other irregularities on the part of any of his comprovincials made by one or more Parishes or Congregations in any Diocese or other Jurisdiction within his Province, the Metropolitan of any Province of this Church shall attempt to achieve a reconciliation of any conflict involved and a resolution of the problem. Failing to achieve the same, that Metropolitan may forthwith take the same Parishes or Congregations under his immediate pastoral care and Metropolitical oversight until such time as the truth be tried or other disposition may be made of the case, subject to that Metropolitan having obtained the consent of his comprovincials, excepting the Bishop directly concerned, in the College of Bishops of his Province, assembled within three (3) months of his assuming direct patrimonial jurisdiction and care.

§4.5.02 Powers of the Metropolitan in Such Case.

During the exercise of extraordinary Metropolitical jurisdiction, the Metropolitan may, either in his own person or by his Provincial Vicar General, *Officialis* or Official Principal, Vicar or Vicars Delegate, or other officials or deputies, convene and hold such

Synod or Synods as may seem good to him for the enactment of Canons or other legislation for, and for other ecclesiastical administration of, the Patrimony of the Metropolitan as he and such Synod or Synods shall or may deem good or necessary; and he may appoint by Warrant of Commission such Provincial Vicar General, *Officialis* or Official Principal, Vicar or Vicars Delegate, Chancellor, or other officials or deputies as need may require for the good and right ordering and well-being of Christ's Clergy and People within his Patrimonial jurisdiction and care.[22]

§4.5.03 Participation of the Vicariate General of the Patrimony in Provincial Synods.

When, in the opinion of the Metropolitan so exercising his jurisdiction, it would be impossible for a significant number of Clergymen, Parishes, or Congregations within the Patrimony otherwise to obtain sufficient participation at and through their Diocesan Synod or have their voice adequately heard in affairs of their own Diocese, the Metropolitan may on their behalf request his Provincial Synod to admit the Clerical and Lay Delegates from the Patrimony, chosen as provided by Canon of that Province or by Resolution of that College of Bishops, which Delegates may be seated with vote in that Provincial Synod if that Provincial Synod shall at its discretion so determine.[23]

CANON 4.6. ENTHRONEMENT AND INSTALLATION OF BISHOPS

The Metropolitan of each Province shall, either in his own person or by formal commission by right to the next Senior Bishop Ordinary of that Province, able and willing to perform such duty, institute, induct, invest, enthrone, and install every Bishop Ordinary of that Province into the possession of his See and Office. The Metropolitan also shall, either in his own person or by Episcopal Deputy, institute and invest all other Bishops of that Province into their Bishoprics or Episcopal Office.

CANON 4.7. TRANSLATION OF BISHOPS.

All Episcopal translations within or into a Province must receive either the consent of the Metropolitan, or, in his absence, the consent of two-thirds (2/3) of the membership of the College of Bishops of that Province.

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[22] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify the officials whom a Metropolitan may appoint in his Patrimony.

[23] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to eliminate the need to convene a Patrimonial Synod for election of Delegates from the Patrimony to a Provincial Synod.

CANON 4.8. ELECTION OF THE METROPOLITAN.

§4.8.01 Who Are Eligible.

All Diocesan Bishops and Bishops Ordinary of that Province holding jurisdiction therein and who are members of the Council of Bishops of that Provincial Synod, not under censure or presentment, shall be eligible for the Office of Metropolitan of that Province.

§4.8.02 Method of Election.

The Council of Bishops of that Province assembled in Synod shall choose one of the Bishops Ordinary of that Province holding jurisdiction therein to be the Metropolitan thereof by a vote of a two-thirds (2/3) majority of all the Bishops of that House excluding retired Bishops not present, except that choice shall be subject to the consent of a two-thirds (2/3) vote of the Senate of the Clergy and a two-thirds (2/3) vote of the Assembly of the Laity of that Provincial Synod.

The other Bishops members of that Council of Bishops not present may concur either in person or in writing under their Hand and Seal.

§4.8.03 Procedure of Election.

The Procedure of Election is as follows:

(a) After the organisation of the Synod assembled under the Presidency of the Senior Bishop Ordinary of that Province, the rolls of the Council of Bishops, the Senate of the Clergy, and the Assembly of Laity shall be called by the respective Recorders of each House, and afterwards the Recorders shall report the number present in each House and the number in each House necessary to election or consent, as the case may be. The entire Synod shall then repair to the church in order to make their common supplication to God and the solemn invocation of the Holy Spirit for guidance in whom the Council of Bishops shall propose as Metropolitan of that Province;

(b) The common supplication of the whole Synod having been completed, the council of Bishops thereupon shall then withdraw and sit behind closed doors. The other two Houses of Synod shall remain in prayer, meditation, or the singing of suitable hymns;

(c) Upon notice being received from the Council of Bishops that a Metropolitan has been chosen, the Senate of Clergy and the Assembly of Laity shall repair to their respective separate chambers to receive the name of the Bishop Ordinary chosen as Metropolitan by the Council of Bishops of that Provincial Synod;

(d) Upon consent having been obtained in both the lower Houses of that Synod, the Prolocutor of the Senate of Clergy and the Speaker of the Assembly of the Laity shall together proceed to the Council of Bishops and inform the Bishops that they have obtained the necessary consent for *A.B.* to be the Metropolitan of that Province.

(e) If failure to obtain the necessary consent in either or both of the two lower Houses of Synod occurs, that information shall be communicated immediately to the Council of Bishops by formal notice of the lower House or Houses. The Council of Bishops shall make their own determination as to whom else to propose;

(f) When the necessary consents have been obtained, the Synod shall return to joint session and the next Senior Bishop Ordinary of that Province shall take the chair and shall formally proclaim the Bishop so elected as the Metropolitan of that Province;

(g) Upon his being so proclaimed, that Bishop so elected shall immediately take possession of and enter upon his Office, *ipso facto,* as Metropolitan of that Province, and shall have, possess, and exercise all rights, powers, privileges, and prerogatives which the Metropolitan of that Province has possesses, and exercises,[24] any law, usage, or custom, be it ecclesiastical or civil of that Province or place concerning the moment or as to when that Metropolitan fully enters upon or takes possession of his Office and the full exercise thereof, to the contrary in any wise notwithstanding;

(h) The Prolocutor of the Senate of Clergy and the Speaker of the Assembly of the Laity shall pledge the support and loyalty of the Clergy and Laity of that Province to the new Metropolitan;

(i) Announcements shall be made of the time and place of the Service of the institution, induction, and investure, and of the enthronement and installation of the new Metropolitan before the close of that Synod, whereat all the Bishops of that Province present shall make their Canonical Submission;

(j) A Benediction shall be given by the new Metropolitan; and

(k) The joint session of the Synod shall recess, and the separate sittings of each House of the Provincial Synod shall resume in their respective chambers for conduct of business of the Synod.

[§4.8.04 [25]**]**

CANON 4.9. TERM OF TENURE OF OFFICE.

The Metropolitan of each Province of this Church may hold his Office for life, or as long as he continues to hold Office as Ordinary of the See of which he was Bishop at the time of his being chosen the Metropolitan of that Province, unless he shall retire, resign, or be removed in accordance with the Constitution and Canons of this Church.

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[24] Official Footnote: The deletion of the clause "...or may or can have, possess, and exercise by the Vth Synod of the Original Province (Orlando, FL, 1983) is not meant to be either proscriptive or derogative.

[25] The former provision entitled "Date of Effect and Force of this Canon" lapsed upon taking effect at the Vth Synod of the Original Province (Orlando, FL, 1983).

CANON 4.10. DURING VACANCY IN THE OFFICE OF THE METROPOLITAN OR OTHER ABSENCE.

§4.10.01 In Avoidance or Incapacity.

During avoidance in the Office of the Metropolitan of any Province of this Church, or during the illness or other incapacity of the Metropolitan, the next Bishop Ordinary, Senior by right of a consecration recognized by this Church as undoubtedly valid and holding jurisdiction in that Province by right, shall have authority to perform all the duties of the Metropolitan and shall be Acting Metropolitan.[26]

§4.10.02 Certification of Incapacity.

A Certificate signed by three (3) Bishops of that Province shall be sufficient evidence of incapacity of the Metropolitan. When the alleged ground of incapacity is physical or mental infirmity, the Certificate must be supported by written opinions signed by at least two (2) licensed physicians who have personally examined that Metropolitan, at least one (1) of whom must be a specialist in the condition concerned.[27]

§4.10.03 Resumption of Authority.

The Metropolitan shall resume his authority by notifying the Acting Metropolitan and submitting a Certificate of his continued or regained Capacity signed by any three (3) Bishops of that Province.[28]

§4.10.04 Insufficiency of Support of Incapacity.

Whenever so many of the Bishops who signed the Certificate of Incapacity provided for in Section 4.10.02 have withdrawn their support thereof that the remaining number of Bishops who continue to support that Certificate is insufficient to satisfy the requirements of that Section, the Metropolitan shall resume his authority upon so notifying the Acting Metropolitan.[29]

§4.10.05 Appeal from Certification of Incapacity.

The Metropolitan may appeal to the Provincial Court of his Province from any Certificate of Incapacity issued under Section 4.10.02; the Metropolitical authority shall

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[26] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add clarifying words.

[27] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add the last sentence.

[28] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add clarifying words.

[29] This Section was added by the XVth Synod of the Original Province (New Orleans, LA, 2003).

remain with the Acting Metropolitan pending the decision on that appeal, which shall be heard and determined without unnecessary delay.[30]

§4.10.06 Appeal by Supporter of Certificate of Incapacity.

When the Metropolitan has resumed his authority pursuant to Sections 4.10.03 or 4.10.04, any Bishop who continues to support the Certificate of Incapacity may appeal to the Provincial Court concerned. The Metropolitical authority shall remain with the Metropolitan pending the decision on that appeal.[31]

§4.10.07 Authority of Acting Metropolitan.

Subject to the provisions of Sections 4.10.03 through 4.10.06, until the election of a new Metropolitan of that Province the Senior Bishop Ordinary as established by Section 4.10.01 shall be vested with all the rights, powers, privileges, and prerogatives of the Metropolitan of that Province.[32]

CANON 4.11. STIPEND.

The Stipend of each Metropolitan shall be determined and due provision made therefor by the Synod of that Province.

CANON 4.12. ASSISTANCE.

§4.12.01 Episcopal Assistance to the Office of the Metropolitan.

Upon the request of the Metropolitan, one (1) Episcopal Assistant shall be provided by the Provincial Synod of this Church to the Metropolitan of that Province.

§4.12.02 Administrative Assistance.

In addition to the Administrative Assistant to the Metropolitan, as set forth in Section 11.4.01(a), the Metropolitan of each Province may also appoint, with the advice and consent of his College of Bishops, such other assistants as from time to time the Metropolitan may deem necessary.

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[30] Amended by the XVth Synod of the Original Province (New Orleans LA, 2003) to delete the former provision on entry into force of this Canon and to add the present provision.

[31] *Ibid.*

[32] Former Section 4.10.04, renumbered and amended to add clarifying words by the XVth Synod of the Original Province (New Orleans, LA, 2003).

Such additional administrative assistant or assistants shall serve at the pleasure of that Metropolitan.

§4.12.03 Other Ecclesiastical Assistance.

In addition, the Metropolitan of each Province, may also appoint, with the advice and consent of his College of Bishops, such other assistants as, from time to time, the Metropolitan may deem necessary to assist him in the proper administration of that Province.

Such additional assistant or assistants shall serve at the pleasure of that Metropolitan.

§4.12.04 Confirmation by the Provincial Synod.

All appointments authorised in Sections 4.12.02 and 4.12.03 shall be effective immediately upon the advice and consent of the College of Bishops of that Province and shall be confirmed by the next regular meeting of the Synod of that Province if they are to continue beyond the adjournment and prorogation thereof.

§4.12.05 Traditional Officers and Officials of the Office of the Metropolitan.

Nothing in the foregoing Sections of this Canon shall be admitted, allowed, or pleaded in order to hinder, prevent, or limit the authority of the Metropolitan of each Province of this Church to appoint, collate, or commission, including the assignment of any authority or jurisdiction, or both, a Vicar or Vicars General in Spirituals or in Temporals, a Vicar or Vicars Provincial, a Vicar or Vicars Episcopal, a Vicar or Vicars Delegate, a Provincial Dean or Deans, an Episcopal Deputy or Deputies, a Commissary or Commissaries General, a Commissary or Commissaries Episcopal, a Commissary or Commissaries Provincial, a Canon or Common Penitentiary or Penitentiaries, a Master or Masters of Faculties, a Canon or Canons Honorary to the Office of the Metropolitan, a Chaplain or Chaplains to the Metropolitan or the Office thereof, or to bestow or otherwise confer any other Office, Charge, Dignity, Appointment, Preferment, Title, Honour, Function, Benefice or Incumbency, that are set forth and provided in the Constitution or Canons of this Church and that Province for him to so appoint, collate or commission, or that Metropolitans have appointed, collated, or commissioned in accordance with Custom or the Common Law of the Church, or both.

CANON 4.13. RESIGNATION FROM OFFICE.

The Metropolitan of any Province of this Church may resign his Office of Metropolitan at any time by written notice to the next Senior Diocesan Bishop of that Province, who shall thereupon submit the same to the College of Bishops of that Province assembled. The resignation shall become effective upon submission to the College of Bishops of that Province unless two-thirds (⅔) of the College of Bishops for good and

sufficient reason decline to accept that resignation from the Office of the Metropolitan of the Province.

CANON 4.14. RETIREMENT FROM OFFICE.

Every Metropolitan of this Church of seventy-five (75) years of age or more shall annually submit to the Synod of his Province his offer to retire from the Office of Metropolitan. If that Synod accepts his offer to retire he shall forward his written resignation to the next Senior Diocesan Bishop of that Province. The College of Bishops of that Province must then accept his resignation from the Office of Metropolitan of that Province.

TITLE V – OF THE OFFICE OF THE PRIMATE

CANON 5.1. ELECTION OF THE FIRST PRIMATE OF THIS CHURCH.

§5.1.01 Who are Eligible.

All the Metropolitans of this Church not under censure of presentment are eligible for election as the first Primate of this Church.

§5.1.02 Method of Election.

The Council of Bishops of this Church assembled in the first session of the Holy Synod of this Church shall choose one of the Metropolitans of the several Provinces of this Church as the first Primate thereof by a vote of a two-thirds (2/3) majority of all the Bishops of that House excluding retired Bishops not present, except that choice shall be subject to the consent of a two-thirds (2/3) vote of the Senate of Clergy and a two-thirds (2/3) vote of the Assembly of the Laity of that Holy synod.

The other Bishop members of that Council of Bishops not present may concur either in person or by other means later confirmed in writing under their Hand and Seal.

§5.1.03 Procedure of Election.

(a) After the organisation of the Synod assembled under the Presidency of the Senior Metropolitan of this Church, the rolls of the Council of Bishops, the Senate of Clergy, and the Assembly of Laity shall be called by the respective Recorders of each House, and afterwards the Recorders shall report the number present in each House and the number necessary to election or consent, as the case may be. The entire Synod shall then repair to the church in order to make their common supplication to God and the solemn invocation of the Holy Spirit for guidance in whom the Council of Bishops shall propose as the first Primate of this Church;

(b) The common supplication of the whole Synod having been completed, the Council of Bishops thereupon shall then withdraw and sit behind closed doors. The other two Houses of the Holy Synod shall remain in prayer, meditation, or the singing of suitable hymns;

(c) Upon notice being received from the Council of Bishops that the first Primate has been chosen, the Senate of Clergy and the Assembly of Laity shall repair to their respective separate chambers to receive the name of the Metropolitan chosen as the first Primate of this Church by the Council of Bishops of the first Holy Synod of this Church.

(d) Upon consent having been obtained in both the lower Houses of that Holy Synod, the Prolocutor of the Senate of Clergy and the Speaker of the Assembly of the Laity shall together proceed to the Council of Bishops and inform the Bishops that they have obtained the necessary consents for the Metropolitan of *N.* to be the first Primate of this Church;

(e) If failure to obtain the necessary consent in either or both of the two lower Houses of the first Holy Synod occurs, that information shall be communicated immediately to the Council of Bishops by formal notice of the lower House or Houses. The Council of Bishops shall make their own determination as to whom else to propose;

(f) When the necessary consents have been obtained, the Holy Synod shall return to joint session and the next Senior Metropolitan of this Church shall take the chair and shall formally proclaim the Metropolitan so elected as the first Primate of this Church;

(g) Upon the moment of his being so proclaimed, that Metropolitan so elected shall thereupon immediately take possession of and enter upon his Office, *ipso facto,* as the first Primate of this Church, and shall have, possess, and exercise all the rights, powers, privileges, and prerogatives which the Primate of this Church has, possesses, and exercises,[25] any law, usage, or custom of this Church or of that place wherein such Proclamation occurs, be it either ecclesiastical or civil, concerning the moment or as to when the Primate fully enters upon or takes possession of his Office and the full exercise thereof, to the contrary in any wise notwithstanding;

(h) The Prolocutor of the Senate of the Clergy and the Speaker of the Assembly of the Laity shall pledge the support and loyalty of the Clergy and Laity of this Church to the first Primate of this Church;

(i) Announcements shall be made of the time and place of the Service of the institution, induction, and investure, and of the enthronement and installation of the first Primate of this Church before the close of that Holy Synod, whereat all the Metropolitans and Bishops of this Church shall make their pledge of support;

(j) A Benediction shall be given by the first Primate of this Church; and

(k) The joint session of the first Holy Synod of this Church shall recess, and the separate sittings of each House of the Holy Synod shall resume in their respective chambers for conduct of business of the Synod.

§5.1.04 Date of Effect and Force of this Canon.

This Canon shall only come into effect and force at the first meeting of the Holy Synod of this Church, and upon the adjournment thereof, it shall cease and expire.

CANON 5.2. SELECTION OF THE PRIMATE OF THIS CHURCH EXCEPTING THE FIRST.

§5.2.01 Summons upon Vacancy.

Whenever a Primate ceases to be Metropolitan of his own Province or there otherwise occurs a vacancy in the Office of Primate of this Church, the Senior Metropolitan of this Church shall summon all the Bishops of this Church not under censure or presentment into the next regularly scheduled meeting, and determination shall

be made by the College of Bishops of this Church, in strict accordance with seniority of the holding of Office by the Metropolitans of this Church, as to which Metropolitan is willing and able to undertake the duties and Office of the Primacy of this Church. Upon the acceptance of the Metropolitan having been proposed in turn of the greater seniority, the next Senior Metropolitan shall proclaim the Metropolitan to be the Primate of this Church.[33]

§5.2.02 Entry into Office.

Upon such Proclamation, the Metropolitan shall immediately take possession of and enter upon his Office, *ipso facto,* as the Primate of this Church, and shall have, possess, and exercise all the rights, powers, privileges, and prerogatives of the Primate of this Church [34] under any law, usage, or custom of this Church or of that place wherein the Proclamation occurs, be it either ecclesiastical or civil, concerning when the Primate fully enters upon or takes possession of his Office and the full exercise thereof, to the contrary in any wise notwithstanding.

§5.2.03 Communication of Selection.

The Proclamation of the Selection of the new Primate of this Church shall be communicated to all the Dioceses, Missionary Dioceses, Missionary Districts, or other Jurisdictions of this Church. Also announcement shall be made of the time and place of the Service of institution, induction, and investiture, and of the enthronement and installation of the new Primate of this Church.

Immediately upon the enthronement of the new Primate the Prolocutor of the Senate of the Clergy and the Speaker of the Assembly of the Laity shall pledge the support and loyalty of the Clergy and Laity of this Church to the first Primate of this Church, and all the Metropolitans and Bishops of this Church shall make their pledges of support.[35]

CANON 5.3. DURING VACANCY IN THE OFFICE OF PRIMATE OR OTHER ABSENCE.

§5.3.01 In Avoidance or Incapacity.

In the case of illness or any other cause of incapacity of the Primate to fulfil his duties or avoidance in the Primatial See, the next Metropolitan, Senior by right of a

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[33] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to add vacancy in the office of Primate by reason of vacancy in his Office of Provincial Metropolitan.

[34] Official Footnote: The deletion of the clause "... or may or can have, possess, and exercise,..." by the Vth Synod of the Original Province (Orlando, FL, 1983) is not meant to be either proscriptive or derogative.

[35] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to add the requirement that the support and loyalty of the Clergy and Laity of the Church be pledged to each new Primate.

consecration recognized by this Church as undoubtedly valid, and able and willing to act, shall have authority to perform all the duties of the Primacy of this Church and shall be styled Acting Primate. He shall be vested with all the rights, powers, privileges, and prerogatives of the Primatial Office until the Primate resumes the authority of his Office or the avoidance ceases or a new Primate is selected.[36]

§5.3.02 Certification of Incapacity.

A certificate signed by five (5) Bishops of this Church, among whom shall be not fewer than one-half (1/2) of the other Metropolitans, shall be sufficient evidence of incapacity of the Primate. When the alleged ground of incapacity is physical or mental infirmity, the Certificate must be supported by written opinions signed by at least two (2) licensed physicians who have personally examined that Primate, at least one (1) of whom must be a specialist in the condition concerned.[37]

§5.3.03 Resumption of Authority.

The Primate shall resume his authority by notifying the Acting Primate and submitting a Certificate of his continued or regained Capacity, signed by any five (5) Bishops of this Church.[38]

§5.3.04 Insufficiency of Support of Incapacity.

Whenever so many of the Bishops who signed the Certificate of Incapacity provided for in Section 5.3.02 have withdrawn their support thereof that the remaining number of Bishops or Metropolitans, or both, who continue to support that Certificate is insufficient to satisfy the requirements of that Section, the Primate shall resume his authority upon notifying the Acting Primate.[39]

§5.3.05 Appeal from Certification of Incapacity.

The Primate may appeal to the High Court of the Holy Synod from any Certificate of Incapacity issued under Section 5.3.02; the Primatial authority shall remain with the Acting Primate pending the decision on that appeal, which shall be heard and determined without unnecessary delay.[40]

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[36] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add clarifying words.

[37] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add the qualification of ½ of the other Metropolitans, and to add the last sentence.

[38] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add clarifying words.

[39] Added by the XVth Synod of the Original Province (New Orleans, LA, 2003).

[40] *Ibid.*

§5.3.06 Appeal by Supporter of Certificate of Incapacity.

When the Primate has resumed his authority pursuant to Sections 5.3.03 or 5.3.04, any Bishop who continues to support the Certificate of his Incapacity may appeal to the High Court of the Holy Synod. The Primatial authority shall remain with the Primate pending the decision on that appeal.[41]

§5.3.07 Authority of Acting Primate.

Subject to the provisions of Sections 5.3.03 through 5.3.06, until the election of a new Primate of this Church, the Senior Metropolitan as established by Section 5.3.01 shall be vested with all the rights, powers, privileges, and prerogatives of the Primate of this Church. [42]

CANON 5.4. DUTIES OF THE PRIMATE.

The Primate shall perform all duties prescribed for him by the Constitution and Canons of this Church.

CANON 5.5. JURISDICTIONS UNDER THE AUTHORITY OF THE PRIMATE AS METROPOLITAN.

§5.5.01 Primate as Metropolitan.

In addition to Metropolitical jurisdiction within his own Province, the Primate of this Church shall exercise authority as and be the Metropolitan for Missionary Districts, and for all other ecclesiastical jurisdictions of this Church and of all Bishops thereof and therein, which are not yet an integral or constituent jurisdiction of any duly constituted Province of this Church or subject to the authority of any Provincial Synod of the same.[43]

§5.5.02 Primate's Metropolitical Jurisdiction.

The Primate shall have and hold, and be authorised to exercise, all the rights, powers, privileges, and prerogatives of a Metropolitan of this Church holding Metropolitical jurisdiction and pastoral concern.

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[41] *Ibid.*

[42] *Ibid.*

[43] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to conform to the basic ecclesiastical law of the Church through the first seven Ecumenical Councils in providing that the Primate, in addition to Metropolitical jurisdiction within his own Province, shall have and exercise Metropolitical jurisdiction over only those Missionary Districts and other ecclesiastical jurisdictions and Bishops not yet within the jurisdiction of a Province of this Church.

§5.5.03 Oaths to the Primate as Metropolitan.

Each Bishop mentioned in Section 5.5.01 shall answer to the Primate as his Metropolitan and shall, in addition to any other Declaration and Oaths which may be required, take an Oath of Canonical Obedience to the Primate as his Metropolitan.

§5.5.04 Metropolitical Court of the Primate.

The High Court of the Holy Synod in all causes arising under this Canon shall be and act as the Court of the Metropolitan for the Primate.

CANON 5.6. ASSISTANCE TO THE OFFICE OF PRIMATE.

Assistance, Episcopal or otherwise, shall be provided by the Holy Synod to any occupant of the Office of Primate of this Church as occasion may require.

CANON 5.7. STIPEND.

The Stipend of the Primate shall be determined and due provision made therefor by the Holy Synod.

CANON 5.8. TERM OF TENURE OF OFFICE.

The Primate of this Church may hold his Office for life or as long as he continues to hold the Office of Metropolitan of his Province which he held upon his accession to the Primacy of this Church, unless he shall resign, retire, or be removed in accordance with the Constitution and Canons of this Church.

CANON 5.9. RESIGNATION FROM OFFICE.

The Primate of this Church may resign his Office of Primate at any time by written notice to the next Senior Metropolitan of this Church, who shall thereupon submit the same to the College of Bishops of this Church assembled. The resignation shall become effective unless two-thirds (⅔) of the said College of Bishops for good and sufficient reason shall decline to accept said resignation from Office.

CANON 5.10. RETIREMENT FROM OFFICE.

Every Primate of this Church of seventy-five (75) years of age or more shall annually submit to the Holy Synod his offer to retire from the Office of Primate. If the Holy Synod accepts his offer to retire, he shall forward his written resignation to the next Senior Metropolitan of this Church. The College of Bishops of this Church must then accept his resignation from the Office of Primate of this Church.

CANON 5.11. CONSECRATIONS OF BISHOPS OTHER THAN FOR THIS CHURCH.

[Reserved] [44]

[44] Added with Reservation by the Xth Synod of the Original Province (Kansas City, MO, 1993).

TITLE VI – OF BISHOPS

CANON 6.1. INHERENT AUTHORITY OF BISHOPS.

§6.1.01 Lawful Episcopal Authority derived from God.

As the Father has sent the Son into the world, even so has the Son sent His Apostles into the world (John 17: 18) and given them the Father's glory (John 17: 22), and as the Risen Christ breathed forth His Holy Spirit upon the Twelve (John 20: 22), thereby both giving them His peace and ordaining and confirming His consecration of them, saying unto them, "As My Father hath sent Me, even so send I you" (John 20: 21), and to them all in the Person of St. Peter, "Feed My lambs" (John 21: 15) and "Feed My sheep" (John 21: 16 & 17), thus enduing them with His own "power from on high" (Luke 24: 49) to preach "repentance and remission of sins in His Name among all nations" (Luke 24: 47) and to be "witnesses of these things" (Luke 24: 48); even so are the accustomed inherent rights, just authority, and lawful powers of the Apostolic and Catholic Episcopate both collegially and individually derived only from Christ's Constitution, whence alone comes their "divine and sublime power of governing the Church,"[45] deriving their accustomed inherent rights, just authority, and lawful powers both collegially and individually through that rock which is St. Peter's confession, "Thou art the Christ, the Son of the living God" (Matthew 16: 16), and from Christ's subsequent bestowal of "the keys of the kingdom of heaven" upon him (Matthew 16: 19) and the other Apostles equally (Matthew 18: 18), that "thence, through the changes of times and successions, the ordering of Bishops and the plan of the church flows onward, so that the Church is founded upon the Bishops," as a "divine law,"[46] by which all are "subject to the Bishop as to Jesus Christ" and without him should do nothing,[47] always "saving the dignity due to the Metropolitanate,"[48] and provided that he acts "with the consent of all,"[49] or the majority,[50] of his Apostolic comprovincials acting collegially,[51] whereby "the Church is established in the Bishop and the Clergy, and all who stand" in the orthodox Faith,[52] as the Fathers have with one voice ever taught and the Anglican

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[45] St Cyprian, Epistle 54 (Oxford edition, 59), §2.

[46] St. Cyprian, Epistle 26 (Oxford edition, 33), §1.

[47] St. Ignatius of Antioch, Epistle to the Trallians, §2: cp. Trallians, §8, and Epistle to the Smyrnaeans, §§8 & 9.

[48] Council of Nicaea (1st Ecumenical), Canon 7; cf. Canon 34 "Of the Holy Apostles."

[49] Canon 34 "Of the Holy Apostles."

[50] Council of Nicaea, *ibid*., Canon 6.

[51] Council of Nicaea, *ibid.,* Canon 5.

[52] St. Cyprian, Epistle 26 (Oxford edition, 33), §1.

Churches affirmed, maintaining both that "The episcopate is one, each part of which is held by each Bishop for the whole,"[53] and that the Bishops, collectively and severally, hold their commission from Christ to govern His Church,[54] and not from human [55] institution or laws.

§6.1.02 Lawful limitation thereof.

No Constitution, Canon, or other Act or provision shall or may be made by this Church or any synod or other body thereof which purports to alter that divine Constitution, or to restrict the usual and lawful Episcopal Authority beyond the limits of traditional Anglican Canon Law previously existing in any place or places, but is in its nature *ultra vires,* void, and of no effect *ab initio*.

§6.1.03 Constitutions and Canons Regulate, but do not Create, Episcopal Authority.

No Constitution, Canon, or other Act or provision of this Church or any Synod or other body or person thereof can or may create any lawful Episcopal Authority, as it were *ex nihilo,* but can or may only regulate and guide that which exists by God's creation, will, and motion.

CANON 6.2. ELECTION OF CANDIDATES FOR THE OFFICE OF BISHOP.

§6.2.01 Procedures.

The Procedure prescribed in Article IV, Section 2 of the Constitution of this Church shall be used as herein described.

§6.2.02 Joint Session of Synod.

The President of that Provincial Synod shall, after its organisation, call the Synod into a joint session thereof.

§6.2.03 Nominations.

(a) The Lay Delegates of each Diocese or other Jurisdiction shall advance the names of those, if any, so advanced by the various Vestries in that Diocese or other Jurisdiction.

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[53] St. Cyprian, *On the Unity of the Church,* §5.

[54] Bishop Cosin, Sermon on the Consecration of Dr. Francis White to the See of Carlisle, *Cosin's Works,* Library of Anglo-Catholic Theology, vol. 1, pp. 94-101.

[55] No Bishop shall "endeavour to make a human church, ... or break asunder the structure of the ecclesiastical body by the propagation of his own discord…"; St. Cyprian, Epistle 51 (Oxford edition 55), §24.

(b) The Clerical Delegates of each Diocese or other Jurisdiction shall advance the names of those men, if any, so advanced by the majority of the Clergy of that Diocese or Jurisdiction.

(c) Further names may be advanced from the floor of that joint session by Members of either the Assembly of the Laity or the Senate of the Clergy or by Members of the Council of Bishops of that Provincial Synod.

§6.2.04 Examination of the Fitness of Nominees.

(a) The Synod shall then formally vote to go into a Committee of the Whole for the examination and scrutiny as to the fitness of the several nominees to be Candidates for the Office of Bishop.

(b) The Period of time allowed for this purpose shall be determined and announced by the President of the Synod in advance and shall not exceed three (3) hours except for good cause.

(c) The President may remain in the Chair in this instance during the period for which the joint session of that Provincial Synod is in Committee of the Whole.

§6.2.05 Balloting.

(a) Upon completion of such examination and scrutiny as to the fitness of the several nominees to be Candidates for the Office of Bishop, the entire Synod shall either repair in silence to the church, if there be one, or silently remain where they are in order to make their common supplication to God and the solemn invocation of the Holy Spirit upon the Synod for guidance and assistance in whom that synod shall choose as Candidates, if any, for the Office of Bishop before proceeding to any balloting. The prayers shall be led by the President of that Synod.

(b) The Common supplication of the whole Synod having been completed, the Synod shall, as quietly as possible, then proceed to the casting of the prescribed secret ballots by orders, the lower order first. Each elector shall write on his blank ballot only the names of those nominees that he believes called by God and to be fit Candidates for the Office of Bishop.

(c) During the counting of ballots, the Synod shall be engaged in prayer, meditation, or the singing of suitable hymns.

(d) Upon the completion of balloting, the President of the Synod shall announce only the names of those nominees receiving a two-thirds (2/3) majority or more in each of the three orders.

§6.2.06 Election.

Any nominee who received no less than a two-thirds (2/3) majority cast in each of the three (3) orders of that Synod on any round of balloting therein shall be elected a Candidate for the Office of Bishop in that Province. Such Candidates shall be named by the President to the Synod at the conclusion of that joint session.

§6.2.07 Certification.

Each Candidate so elected shall be certified by the President, the Prolocutor of the Senate of Clergy, and the Speaker of Assembly of Laity of that Provincial Synod. An Official List of the certified Candidates shall be sent to each Diocese or other Jurisdiction within or subject to the authority of that Province.

CANON 6.3. ELECTION TO VACANT SEES.

§6.3.01 Issuing of Writs of Election by the Metropolitan, and Writs of Summons.

Upon the avoidance of any elective See within a Province, the Guardians of the Spiritualities of that Diocese or other Jurisdiction are to certify vacancy of the See to the Metropolitan of that Province, petitioning and requesting of him that they may he allowed to proceed to a new election to that vacant Bishopric. Upon the receipt of the Certificate and Petition, the Metropolitan of that Province, or the College of Bishops of that Province in the absence of that Metropolitan, shall issue forthwith a License and Writ of Election to the Guardians of the Spiritualities of that Diocese or other Jurisdiction, authorising them to issue their Writ of Summons to the Diocesan Electors or Electors of that other Jurisdiction for the holding of an Electoral Synod therein to fill the vacancy.[56]

§6.3.02 Election Procedures.

The Election shall be as prescribed in the Constitution of this Church, the Canons of the Province, and the Canons or regulations of that Diocese or other Jurisdiction.

§6.3.03 Canonical Confirmation of Election by the Metropolitan.

(a) The Guardians of the Spiritualities shall certify to their Metropolitan the results of the election under Section 6.3.01. After the Metropolitan determines that all constitutional and canonical requirements have been met, he shall examine the man elected. The Metropolitan shall canonically confirm that Bishop-Elect's election unless he finds a constitutional or canonical impediment to that election or to that Bishop-Elect's ordination and consecration.[57]

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[56] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify that the provision applies only to elective Sees, as opposed, *e.g.,* to Missionary Districts and Jurisdictions of the Armed Forces; also amended to clarify wording.

[57] Canons 4 and 6, Nicaea I, A.D. 325; Canon 19, Antioch in Encaenis, A.D. 341; Canon 12, Laodicea, A.D. 343; Canon 3, Nicaea II, A.D. 787. Re-worded for clarity by the XVth Synod of the Original Province (New Orleans, LA, 2003).

The Metropolitan's canonical confirmation completes the election.[58]

(b) The Metropolitan shall declare the election null and void, and the Electoral Synod may proceed to a new election, when:

(i) Any constitutional or canonical requirement remains unsatisfied more than three (3) months after that Metropolitan has given due notice thereof, or

(ii) That Metropolitan, with the concurrence of a majority of his College of Bishops,[59] or finds a constitutional or canonical impediment to that election, or

(iii) The Bishop-Elect chooses not to be consecrated Bishop or, if already a Bishop, chooses not to take possession of his Episcopal office within three (3) months of his Metropolitan's confirmation of his election,[60] unless that delay is from necessity or for good and sufficient cause.[61]

CANON 6.4. ELECTION TO OTHER BISHOPRICS.

§6.4.01 Bishops Co-adjutor.

(a) *Dioceses and Missionary Dioceses:*

The election of Co-adjutor Bishops of Dioceses and Missionary Dioceses of this Church shall be conducted in the following manner:

(i) The Bishop Ordinary of a Diocese or Missionary Diocese shall signify in writing to his Council of Advice that he is desirous of having the assistance of a Co-adjutor Bishop because he is unable fully to discharge the duties of his Office by reason of the following:

(A) his age, or other permanent cause of infirmity or incapacity,

(B) the territorial extent of that Diocese or Missionary Diocese, or

(C) the territorial extent of that Diocese or Missionary Diocese is of such large expanse as to prevent effective Episcopal pastoral care and oversight.

The Council of Advice shall give notice of the request with the reasons therefor at the next session of the Synod of that Diocese or Missionary Diocese.

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[58] **NOTE** however, the PROTOCOLS OF ELECTION OF A BISHOP required by Canon 11.3.

[59] Canon 4, Nicaea I, A.D. 325; Canon 19, Antioch in Encaenis, A.D. 341. Re-worded for clarity by the XVth Synod of the Original Province (New Orleans, LA, 2003).

[60] 25 Henry VIII (1534) Chapter 20; 26 Henry VIII (1534) Chapter 4; 1 Elizabeth I (1559) Chapter. 1; Canon 333, Codex Juris Canonici, 1917.

[61] Canon 25, Council of Chalcedon, A.D. 451. Re-worded for clarity by the XVth Synod of the Original Province (New Orleans, LA, 2003).

(ii) If the Synod concurs, the Bishop and his Council of Advice shall forward their Petition and Request with the reasons therefor, with a certificate of the concurrence of that Synod, to the Metropolitan and College of Bishops of their Province to determine whether that Diocese or Missionary Diocese may elect a Co-adjutor Bishop.

(iii) When that Metropolitan with the advice and consent of his College of Bishops, or the College of Bishops of that Province in the absence of that Metropolitan, he or his College of Bishops in his absence, shall issue to the Bishop Ordinary and his Council of Advice of that Diocese or Missionary Diocese the License and Writ of Election, authorizing thereby that Bishop to issue his Writ of Summons to the Electors of his Diocese or Missionary Diocese to hold an Election Synod therein to elect a Co-adjutor Bishop.

(iv) Before the Election Synod shall elect a Co-adjutor Bishop, the Bishop of that Diocese or Missionary Diocese shall read, or cause to be read, to that Election Synod his written consent to the election, wherein he shall state the precise duties, authority, and powers he assigns unto the Co-adjutor Bishop when he shall be duly ordained and consecrated and invested with that Office.

The written consent shall form part of the canonical proceedings of that Synod and formally be entered into the minutes of the official Journal thereof. The President of that Synod shall affix, or cause to be affixed, the Common Seal, if there be such, of that Synod thereto or he shall use, or cause here to be used, some other form of canonical attestation wherein the written consent and Journal shall form a permanent record.

(v) The election shall in all other aspects be conducted in the same manner as in the case of the election of Bishops Ordinary of this Church and as set forth in Sections 6.3.02 and 6.3.03.

(b) *Missionary Districts:*.

Co-adjutor Bishops of Missionary Districts of this Church shall be elected in the following manner:

(i) The Bishop Ordinary of a Missionary District shall signify in writing to his Council of Advice that he is desirous of having the assistance of a Co-adjutor Bishop because he is unable fully to discharge the duties of his Office for any of the reasons enumerated in Sub-section 6.4.01(a)(i).

(ii) The Council of Advice thereof shall consider the request and the reasons therefor, and if the Council of Advice concurs therein, the Bishop and his Council of Advice shall forward their Petition and Request, with the reasons therefor stated, to the Metropolitan and College of Bishops of that Province for their determination as to whether that Missionary District shall be allowed to proceed to the election of a Co-adjutor Bishop.

(iii) The manner of the giving of consent, issuing of writs for election, written consent and assignment of duties, and conduct of the election shall be as set forth in Sub-sections 6.4.01(a) (iii), (iv), and (v). If a separate or special Election Synod is an undue burden upon that Missionary District,

the election may constitute part of the proceedings of the next regular Synod of that Missionary District, but the Synod shall sit separately for that special purpose in the capacity of an Electoral Synod of that Jurisdiction.

(c) *Only One Co-adjutor Bishop in a Diocese, Missionary Diocese, or Missionary District.*

There shall not be in any Diocese, Missionary Diocese, or Missionary District of this Church at the same time more than one (1) Co-adjutor Bishop.

(d) *Right of Succession.*

A Co-adjutor Bishop shall, without further election, upon the vacancy caused by the death, translation, removal, or resignation of the Bishop Ordinary to whom he is Co-adjutor, become and be the Bishop Ordinary of the See or Jurisdiction, provided that he has taken canonical possession of his Office in the prescribed manner upon the mandate of the Metropolitan of that Province. All that such a Bishop Ordinary lacks upon his succession is enthronement and installation by the Metropolitan or his Episcopal Deputy.

§6.4.02 Suffragan Bishops.

(a) *Dioceses or Missionary Dioceses:*

Suffragan Bishops of Dioceses or Missionary Dioceses of this Church shall be elected as follows:

(i) The Bishop Ordinary of a Diocese or Missionary Diocese shall request his Council of Advice in writing for the assistance of a Suffragan Bishop or Bishops because of:

(A) The extent of work of that Diocese or Missionary Diocese,

(B) The territorial extent of that Diocese or Missionary Diocese is of such large expanse as to prevent effective Episcopal pastoral care and oversight,

(C) Congregations of persons speaking a different language or different languages other than English, or belonging to particular national groups or culture or other ethnic considerations,

(D) Congregations of persons of one particular rite other than the *Book of Common Prayer*,[62] or

(E) Some other special reason of the Apostolic Mission of the Church.

The Council of Advice shall transmit that request and reasons to the next meeting of its Synod.

(ii) The manner of obtaining that Synod's concurrence, Petition and Request for consent to the Metropolitan and College of Bishops of that Province, giving of consent, issuing of writs, and conduct of election shall be as set forth respectively in Sub-sections 6.4.01(a) (iii), (iv), and (v),

[62] *E.g.,* Canon 20.2.

save that in the matter of the written consent by the Bishop Ordinary to the election, the written consent shall not enumerate or state any duties, power, or authority to be assigned to the proposed Suffragan Bishop or Bishops.

(b) *Missionary Districts:*

The Metropolitan and College of Bishops of any Province of this Church, from time to time in its discretion, may choose a Suffragan Bishop or Bishops for any Missionary District of that Province concerned upon the due Petition and Request of the Bishop Ordinary and his Council of Advice of that Missionary District and for the reasons set forth in Sub-section 6.4.02(a)(i).

(c) *Only Two Suffragan Bishops in a Diocese, Missionary Diocese, or Missionary District.*

There shall not at any time be more than two (2) Suffragan Bishops holding Office in and for any Diocese, Missionary Diocese, or Missionary District of this Church, save by special consent of the Holy Synod, or if there be as yet no Holy Synod, then by the Synod of the Original Province of this Church, previously obtained.

(d) *No Right of Succession.*

A Suffragan Bishop, on a vacancy caused by the death, translation, removal, or resignation of the Bishop Ordinary of the See or other Jurisdiction to which he is Suffragan, shall not succeed to the Office or become the Bishop Ordinary thereof unless he be duly elected thereto.

All Suffragan Bishops of this Church are eligible for election to any Bishopric of this Church as a Bishop Ordinary or Co-adjutor Bishop.

§6.4.03 Auxiliary Bishops and Assistant Bishops.

The elections of both Auxiliary Bishops given to the holder of the Office of the Bishop Ordinary of a See or other Jurisdiction of this Church and Auxiliary Bishops given to any See or other Jurisdiction of this Church, and Assistant Bishops given to the holder of the Office of Bishop Ordinary of a See or other Jurisdiction of this Church, shall in all respects be as provided for Suffragan Bishops of this Church, save for the reasons of their election which are to be as follows:

(a) that the Diocese or other Jurisdiction is so large, either in territory or number of faithful, that an Auxiliary or Assistant is to relive the Bishop Ordinary of that Jurisdiction completely or in part of his Episcopal duties in certain areas or aspects of his Office, or

(b) the stature of the one to whom any Auxiliary, or Assistant is assigned – *i.e.,* the Metropolitan of that Province or the Primate of this Church.

Any retired Bishop of this Church also may be appointed an Assistant Bishop to the holder of the Office of the Bishop Ordinary of a See or other Jurisdiction of this Church by the Metropolitan of that Province, by and with the advice and consent of his college of Bishops, upon due Petition and Request of the Bishop Ordinary and his Council of Advice.

Auxiliary Bishops and Assistant Bishops of this Church as regards Rights of Succession are governed by Sub-section 6.4.02(d), as provided for Suffragan Bishops.

Auxiliary Bishops and Assistant Bishops of this Church are eligible for election to any Bishopric of this Church.

Auxiliary Bishops are governed by the same provisions regarding number as set forth in Sub-section 6.4.02(c), as provided for Suffragan Bishops.

There shall not be in any Diocese or other Jurisdiction of this Church at the same time more than one (1) Assistant Bishop.

CANON 6.5. CANONICAL VISITATIONS.

§6.5.01 Duties of Diocesan Bishops or Bishops Ordinary.

It shall be the duty of every Diocesan Bishop or Bishop Ordinary to visit all Parishes, Congregations, and Missions, and other places and persons required by law or custom, including persons, places, and things both therein and thereof of his Diocese or other Jurisdiction that be committed to his Charge and safekeeping, in a more solemn manner in person or by deputy once every year and in person at least once every three years, with the solicitude as their Chief Pastor and Father in God, for the spiritual purpose to promote and preserve sound and orthodox doctrine and religious teaching; to correct any errors which may have occurred within the same; to protect good morals and correct any abuses therein; to promote and exhort peace, quietness, innocence, piety, and discipline among the Clergy and the faithful; to meet and consult with the Clergy, Wardens, and Vestry thereof in order that means may be taken to advance the cause of Christ's Religion in that place; to provide for the welfare of Christ's Religion in other suitable ways; to meet the people thereof; to inspect and supervise the Clergy in the performance of their duties; to learn for himself where needs exist and take necessary steps for supplying those needs; to make known that he was at all times not only accessible to all men, but also ready to investigate any matter that was brought before him; to examine and inspect the fabric, furniture, ornaments, and appointments of the Church, Churchyard, Burial Grounds or other Buildings, especially the Altar, the mode and place of Reservation of the Blessed Sacrament and the Holy Oils and Chrism, Sacred Vessels, fair linens, vestments, and Service Books; to administer confirmation; to preach God's Word; to administer the other Sacraments if need be; and especially to celebrate the Holy Communion.

(a) He shall make such other visitations within that place visited or to such other persons as he shall think expedient.

(b) At every Visitation it shall be the duty of the Bishop to examine the records, accounts, and registers required to be kept by the Canons of this Church, of that Province, and of his own Jurisdiction and so to attest.

(c) He shall perform all other duties during his Visitation required of him by the Canons of this Church, of that Province, and of his own Jurisdiction.

(d) Visitations are to be carried out and performed diligently but without undue delay or consideration that might cause unnecessary burden, hardship, or expense upon those visited which they might be ill able to bear.

§6.5.02 Visitation Articles.

Every Diocesan Bishop or Bishop Ordinary, when he does summon his Visitation, shall deliver, or cause to be delivered, to the Minister, Wardens, and Vestry of every Parish, Congregation, or Mission he is to visit annually in person or by deputy, such books of articles or other pertinent questionnaire as he shall require such Minister, Wardens, and Vestry to ground their answers upon for their performance of the duties of their Office, the conduct of Divine Worship, and other matters Concerning the state of their Parishes, Congregations, or Missions, and return the same to the Bishop for his perusal and examination before his Visitation, which answers may the more assist and facilitate the Bishop in the performance of his Visitation to that place and to discuss with them their replies to his questionnaire or articles.

§6.5.03 Canonical Visitation of Others for the Bishop.

If the Bishop Ordinary of the Diocese or other Jurisdiction does not make a Canonical Visitation to every Parish, Congregation, or Mission in person within his Jurisdiction each year, then the Archdeacon, or Regional or Rural Dean, or other such Commissary duly appointed by him, shall do so for him in those places not canonically visited by the Bishop Ordinary himself that year and shall prepare a written report for that Bishop in all details and on the state of the persons, places, and things so visited.

§6.5.04 Correction of Abuses.

The Bishop, or his deputy, may, at the end of any Canonical Visitation, issue such binding injunctions, instructions, admonitions, precepts, or decrees, for the edifying and well-governing of Christ's flock, which to him seem expedient, that means may be taken thereby for the supply of such things as may be lacking or wanting and the correction and reformation of such things as may be disclosed to be amiss in each particular case.

Such injunctions, instructions, admonitions, precepts, or decrees may be appealed to the Metropolitan of that Province but they remain in effect pending the decision on that appeal.

§6.5.05 Canonical Visitation to Religious Houses by the Bishop Ordinary.

It shall be the pastoral duty of every Diocesan Bishop or Bishop Ordinary to make a Canonical Visitation in person or by deputy once every year and in person at least once every three (3) years to every House of Holy Religion situate within his Jurisdiction as provided in Section 19.1.07.

Canonical Visitation shall consist in the visitation and inspection of all persons, places, and things subject to Religious Houses; the fostering of Religious discipline; the observance of all laws ecclesiastical; the proper administration of temporal goods, and, where necessary to take measures to correct defects and promote better observance; the examination of land, buildings, living quarters, and all that pertain to them; all registers,

records, and documents; all aspects of temporal administration; the fulfilment of the obligations of Holy Communion; the proper care of Churches and Chapels and their furnishings; the proper care of the custody and mode of the Reservation of the Blessed Sacrament, if such be reserved, and the Holy Oils and Chrism; and the appointment of a member ordered by the Bishop to expound the Scriptures or some part of Christian Doctrine in their public oratories.

When the Bishop Ordinary does not carry out this duty in his own person, he may designate his Archdeacon or other such Official for this duty and shall commission him his Vicar for Religious. Such other visitor is to be solemnly received and prepare a written report for the Bishop in all details and the state and condition of persons, places, and things so visited.

§6.5.06 Canonical Visitation to Religious Houses by the Episcopal Visitor.

Every Episcopal Visitor to a House of Holy Religion as provided by Section 19.1.06 shall make his Canonical Visitation to that House of which he is Episcopal Visitor in person at least once in every three (3) years and such Canonical Visitation is to be comprehensive in all aspects as well as he shall have the duty to interview the individual members of that Religious House or Community on such matters as Religious discipline, observance of vows, common life, fraternal charity, attendance at religious exercises, fulfilment of the particular work of that Community, relationship between superior and subjects, and studies. He is forbidden to enquire into matters of conscience. He shall perform such other duties as are prescribed for him in Section 19.1.06.

The Religious visited are obliged to answer truthfully to the legitimate questions of the Visitor, and it is forbidden for anyone to deter them from answering or to hinder the Visitation in any other way.

The right to declare incapable of holding Office all who interfere with the Visitation and to remove any from such Office if they are superiors is reserved to the Episcopal Visitor or the Metropolitan.

Upon the completion of his investigation and visitation, the Visitor may issue any binding injunctions, instructions, admonitions, precepts, or decrees that he deems necessary.

Such injunctions, instructions, admonitions, precepts, or decrees of the Episcopal Visitor may be appealed to the Metropolitan of that Province but they remain in effect until the decision on that appeal.

If the Episcopal Visitor fails to make his Canonical Visitation as herein prescribed, the matter falls to the Bishop Ordinary in whose Jurisdiction that House is situated, to act as if that Bishop Ordinary were the Episcopal Visitor and Religious superior of that House.

§6.5.07 Record of Visitations.

Every Diocesan Bishop or Bishop Ordinary shall keep a register wherein he shall record his proceedings at every visitation of his Diocese or other Jurisdiction performed by him in person or by deputy and to render an account of such to his Metropolitan annually.

§6.5.08 Clergy Conferences.

At the close of the Canonical Visitations for the year, every Diocesan Bishop or Bishop Ordinary shall summon the Clergy canonically resident within that Diocese or other Jurisdiction and all Clergy holding License from the Bishop, to a Clergy Conference for the purposes of mutual consultation on matters concerning faith, worship, morals, discipline, practice, Missionary policy, and the pastoral office; for consultation and common action concerning the things of God and His Kingdom; and the Bishop may deliver a charge or series of charges, to his Clergy on these or any other matters which he regards and deems important or necessary or which need of redress may have been disclosed to him as a result of those visitations.

§6.5.09 Failure to make Canonical Visitations.

(a) If a Diocesan Bishop or Bishop Ordinary shall for three (3) years have declined to visit a Parish, Congregation, or Mission within his Diocese or other Jurisdiction, the Minister, Wardens, and Vestry shall apply to the Metropolitan of that Province to make such Canonical Visitation and perform all such acts pertinent to the same.

(b) If the Bishop Ordinary similarly has failed to make his Canonical Visitation to any House of Holy Religion situate within his Jurisdiction, or has failed to make the Canonical Visitation as provided in Section 6.5.06, then such House of Religion shall apply to the Metropolitan of that Province to make such Canonical Visitation and perform all such acts pertinent to the same.

(c) In either of the instances cited in Sub-sections (a) and (b) of this Section, the Metropolitan shall first attempt to achieve a reconciliation of any conflict involved and a resolution of the problem. Failing to achieve the same, the Metropolitan shall proceed as set forth in those Sub-sections.

(d) If a Diocesan Bishop or Bishop Ordinary shall have declined, without good cause, to make any Canonical Visitations to his Diocese or other Jurisdiction in any one (1) year, the Metropolitan of that Province, by virtue of his Office, shall make Visitations therein and take such other appropriate action as to him may seem expedient under the provisions of these Canons and of that Province.

§6.5.10 Duties in reference to the Bishop's Visitation.

It shall be the duty of Ministers to prepare young persons and others for Confirmation; and on notice being received from the Bishop Ordinary of that Diocese or other Jurisdiction of his intention to visit any Church, which notice shall be at least one month before the intended visitation, the Minister shall announce the fact to the Congregation on the first Sunday after receipt of such notice; and he shall be ready to present for Confirmation such persons as he shall judge to be qualified, and shall send and deliver beforehand to the Bishop a list of the names of those to be confirmed.

Such Minister, all the Clergy, the Wardens, and the Vestry of the Parish, Congregation, or Mission shall answer advisedly and truly according to their consciences the articles or questionnaire delivered to them from the Bishop's office for the purposes of the Canonical Visitation.

At every Canonical Visitation it shall be the duty of the Minister, and of the Wardens, or Vestrymen, or of some other Officer or Official, to exhibit to the Bishop Ordinary or his deputy for his examination and inspection all the Parish registers, records, documents, books of account, insurance policies, and returns and records of other matters which shall be required by the Canons of this Church, of that Province, of his own Jurisdiction, or of the civil law in that place.

CANON 6.6. EPISCOPAL DUTIES.

§6.6.01 Diocesan Bishop or Bishop Ordinary.

(a) *Chief Pastor and Father in God.*

Every Diocesan Bishop or Bishop Ordinary is the Chief Pastor of all that are committed to his Charge and safekeeping within his Diocese or other Jurisdiction, as well Laity as Clergy, and their Father in God; it appertains to his Office to visit, teach, encourage, and admonish his Clergy as a Chief Shepherd among the Shepherds of Christ's flock; to be especially bound to watch over the faith, morals, and discipline of his Clergy; to preach and teach the Word of God unto his people; to interpret and expound the Scriptures; to teach and uphold sound and wholesome doctrine, to feed the same unto his flock, and to banish and drive away all erroneous and strange doctrines; to guard well and maintain the content of the Catholic and Apostolic Faith, entire and uncorrupted; to judge [63] and defend morals; to be diligent in promoting the spread of the Gospel in all the world, and especially in his own Diocese or other Jurisdiction; constantly to encourage his Clergy and Laity to fulfil their duty of witnessing Christ to others, according to His Command to make Disciples of all Nations; to build up the Church of God; to hold up the weak, bring again the outcasts, and seek the lost; and, himself an example of righteous and godly living, to set forward and maintain quietness, love, and peace among all men.

(b) *Spiritual Jurisdiction and Authority of the Ordinary.*

Every Bishop of a Diocese or other Jurisdiction, by virtue of his Office in the Church of God, has within his territory proper Jurisdiction and Authority as Ordinary thereof except in places and over persons exempt by law or custom.[64] It is his duty therefore to govern his Diocese or other Jurisdiction in all Spiritual Causes and Matters in both the external forum and the internal forum, as well as Temporal, which is to be exercised according to the

[63] Matthew 19:28; Luke 22:29-30; T Corinthians 6:2-5. *Cf.* Revelation 2:26; 20:4.

[64] *E.g.,* Ecclesiastical Peculiars or Religious Houses.

Constitution or Canons of this Church, of that Province, and of his own Diocese or other Jurisdiction.

(i) He shall exercise his Ordinary legislative jurisdiction only in and through his Synod, provided that the laws and regulations enacted thereby shall not conflict with the Common Law of the Church and the Constitution or Canons of this Church, of that Province, and of his own Jurisdiction Any law or regulations thus made and enacted shall be promulgated in the manner prescribed by that Diocese or other Jurisdiction.

(ii) He shall exercise the interpretative and judicial authority of the Ordinary as provided in the Constitution or Canons of this Church, of that Province, and of his own Jurisdiction.

(iii) By Ordinary jurisdiction, every Bishop Ordinary is entitled to administer the spiritual and temporal affairs of his Diocese or other Jurisdiction, as provided in the Constitution or Canons of this Church, of that Province, and of his own Jurisdiction, and to require the observance of all laws ecclesiastical, especially those concerning the immediate spiritual welfare of his people. Among others, the following hold special importance:

(A) the worship of God;

(B) preaching His Word;

(C) the administration of the Sacraments and sacramentals of the Church;

(D) safeguarding the Faith and Morals of the faithful; and

(E) the religious instruction of the faithful, especially the young.

(c) *Principal Minister.*

Every Diocesan Bishop or Bishop Ordinary is, within his Diocese or other Jurisdiction, the Principal Minister thereof, and to him belongs the right save in places and over persons exempt by law or custom,[65] to dispense and supervise the administration of the Sacraments of God unto his people, and by the same to confer and give the graces of the Holy Spirit; to consecrate the Body and Blood of Christ in the Sacrament of the Altar; to loose, assoil, and absolve from sin all persons which be duly penitent and sorry for the same; to bind and excommunicate such as be guilty in manifest crimes and sins, and will not amend their faults; to impose spiritual punishment and sentences; to discern spirits and gifts; to exorcise, adjure, and cast out evil spirits; to heal the sick and bind up the broken; to be the principal and official Preacher therein; to celebrate the rites of Ordination and Confirmation; to conduct, order, authorise, and supervise all Services in Churches, Chapels, Churchyards, and consecrated Burial Grounds; to dedicate and bless all Churches, Churchyards, and Burial Grounds; to consecrate Churches, Altars, Churchyards, Burial Grounds, Church Bells, all Sacred Vessels, Holy Oils

[65] *Ibid.*

and Chrism, and places for the custody and proper Reservation of the Blessed Sacrament; to reconcile all Churches, Churchyards, or Burial Grounds after desecration, spoliation, or pollution; to reopen all Churches after restoration; to deconsecrate Churches, Churchyards, or Burial Grounds; to institute to all vacant benefices or Cure of Souls therein; to admit by license to all other ecclesiastical offices therein; to pray for the whole Church of Christ, and especially for the flock committed unto him; to offer the Holy Eucharist every Lord's Day and Feast of Obligation for the people committed to his charge; to provide for a fit supply of Clergy to minister to his flock, and to see to the training thereof; to hold visitations at times required by law or custom to all persons, places, and things, and especially the Clergy therein, to the end that he may get some good knowledge of the state, sufficiency, and ability of the clergy and other persons and places whom and where he is to visit; to see in his own person or through his Officers, that the Clergy perform their duties in the Parishes to which they have been instituted or licensed; to summon all Synods and Clergy Conferences thereof; and to be the President thereof and preside therein, either in his own person or by such deputy as he may lawfully appoint.

(d) *High Priestly Power of the Episcopal Order.*

Every Diocesan Bishop or Bishop Ordinary shall be faithful in admitting persons into Holy Orders and in celebrating the rite of confirmation as often and in as many places as shall be convenient, and he shall provide, as much as in him lies, that in every place within his Diocese or other Jurisdiction there shall be sufficient Priests to minister God's Word and Sacraments to all the people that are therein.

(e) *Judge of Faith and Morals.*[66]

Every Diocesan Bishop or Bishop Ordinary has within his Jurisdiction the authority and responsibility to supervise and ensure the soundness of the Faith, Worship, and Morals of both the Clergy and Laity committed to his Christ-like charge and safekeeping. The chief aim of the Bishop's administration of Christian discipline is for the more perfect reformation and amendment of all his people, after the pattern of Christ, improvement, spiritual growth, and Increase in, or restoration to, a state of grace and right faith, to their souls' health and salvation, and to the spreading abroad of the glad tidings of the Gospel. To this end, he is charged to teach exhort, reprove, and rebuke with wholesome doctrine,[67] to see that his children in the faith maintain the fullness and soundness of the same, and diligently to exercise godly judgement and discipline in matters of Faith, Worship, and Morals, as by the authority of God's Word, and by the order of this Church, is committed to him, ensuring, as much as by God's good providence may be, that all members of the Clerical and Lay Orders may faithfully carry out the particular duties incumbent upon them.

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[66] I Corinthians 5:3-5. *Cf.* Matthew 16:19; 18:18.

[67] I Timothy 4:2; Titus 2.

It is the responsibility of every Bishop Ordinary to exercise godly authority to preserve the Faith, Worship, and Morals of his flock by judging any action or conduct of any member of the Clerical or Lay Order detrimental to its spiritual health and well-being, or for any failure on their part in bearing the Yoke of Christ, or having strayed from the path of their discipleship; and he shall, when necessary, implement that judgement by administering or otherwise disciplining according to the Discipline of this Church and the Laws Ecclesiastical those who trouble the peace, quietness, good order, or safety of his flock.

(f) *Other Duties.*

Each Diocesan Bishop or Bishop Ordinary shall perform all duties prescribed for him in the Constitution and Canons of this Church, the Constitution or Canons of the Province wherein he holds jurisdiction, and the Constitution or Canons of his Diocese or such other Jurisdiction.

§6.6.02 Duties of Other Bishops.

(a) *Co-adjutor Bishops.*

Every Co-adjutor Bishop of this Church shall endeavour himself faithfully to execute such things pertaining to the Episcopal Office as shall be commissioned or assigned to him by the Bishop Ordinary of the Diocese or other Jurisdiction to whom he shall be Co-adjutor.

The Co-adjutor shall use, have, exercise, or execute only jurisdiction or Episcopal duties, authority, privileges, or powers in any Diocese or other Jurisdiction as shall be licensed, commissioned, assigned, or limited to him to use, have, exercise, or execute by the Bishop Ordinary of the same in writing at the time of the Co-adjutor's election, which commission or assignment in writing is a permanent matter.

The jurisdiction or Episcopal duties, authority, privileges, or powers commissioned or assigned by the Bishop Ordinary to his Co-adjutor Bishop may be enlarged upon by mutual consent whenever the Bishop Ordinary may desire to commission or assign such additional jurisdiction or Episcopal duties, authority, privileges, or powers to that Co-adjutor Bishop.

The Co-adjutor Bishop shall use, exercise, and execute all jurisdiction or Episcopal duties, authority, privileges, and powers as may have been commissioned or assigned unto him in full harmony with his Bishop Ordinary and under his direction in order that the unity of the government and administration, the direction of the Apostolic Mission of the Church, and the Pastoral Office of that Diocese or other Jurisdiction shall not be impaired.

The Co-adjutor Bishop in case of the absence or incapacity from any cause of the Bishop Ordinary shall exercise the full jurisdiction, rights, authority, and powers of the Bishop Ordinary of that Diocese or other Jurisdiction as well in temporal as in spiritual matters during such absence or incapacity.

(b) *Suffragan Bishops.*

Every Suffragan Bishop of this Church shall endeavour himself faithfully to execute such things pertaining to the Episcopal Office as shall be

commissioned to him by the Bishop Ordinary of the Diocese or other Jurisdiction to which he shall be Suffragan.

A Suffragan Bishop shall use, have, exercise or execute only jurisdiction or Episcopal power, authority, or privileges in any Diocese or other Jurisdiction as shall be licensed, commissioned, or limited to him to use, have, exercise, or execute by the Bishop Ordinary of the same.

A Suffragan Bishop shall be and act, in all respects, as the Assistant of the Bishop Ordinary of that Jurisdiction, and under his direction and subject and subordinate to his authority as Ordinary.

A Suffragan Bishop, upon the death of a Bishop Ordinary, may, if so specifically provided in the regulations or Canons of the Jurisdiction of a Bishop Ordinary, subject to confirmation by the Metropolitan of that Province, be temporarily in charge of that Diocese or other Jurisdiction as the Administrator or Episcopal Authority thereof until a new Bishop Ordinary is chosen and ordained and consecrated, saving the canonical rights of the Bishop-elect.

A Suffragan Bishop may also be similarly placed in charge of that Diocese or other Jurisdiction in the absence or incapacity of the Bishop Ordinary thereof and under the same stipulations as set forth in the preceding sentence.

(c) *Auxiliary Bishops.*

Every Auxiliary Bishop of this Church shall endeavour himself faithfully to execute such things pertaining to the Episcopal Office as shall be commissioned to him by the Bishop Ordinary of the diocese or other Jurisdiction to which or to whom he shall be Auxiliary.

An Auxiliary Bishop shall use, have, or execute only jurisdiction or Episcopal power or authority in any Diocese or other Jurisdiction as shall be licensed, commissioned, or limited to him to use, have, or execute by the Bishop Ordinary of the same in subordination and subject to his authority as Ordinary.

(d) *Assistant Bishops.*

Every Assistant Bishop of this Church shall endeavour himself faithfully to execute such things pertaining to the Episcopal Office as shall be commissioned to him by the Bishop Ordinary of the Diocese or other Jurisdiction to whom he shall be Assistant.

An Assistant Bishop shall use, have, or execute only such powers or authority assigned to him either in the administration of that Jurisdiction or in the performance of the Episcopal duties and obligations as seems fit or necessary to that Bishop Ordinary.

An Assistant Bishop performs the duties of his Office directly under the supervision of the Bishop Ordinary to whom he is Assistant.

(e) *Other Duties*.

Every Co-adjutor Bishop, Suffragan Bishop, Auxiliary Bishop, or Assistant Bishop of this Church respectively shall perform all duties prescribed for him in the Constitution and Canons of this Church, the Constitution or Canons of the Province wherein he holds Office, and the Constitution or Canons of the

Bishop Ordinary of the Diocese or other Jurisdiction to whom or to which he is given as such.

CANON 6.7. ASSISTANCE.

[Reserved]

CANON 6.8. STIPEND.

[Reserved]

CANON 6.9. TERM OF TENURE OF BISHOPS.

§6.9.01 Diocesan Bishops or Bishops Ordinary.

Every Diocesan Bishop or Bishop Ordinary of this Church may hold his Office for life unless he shall retire, resign, or be removed in accordance with the Constitution and Canons of this Church.

§6.9.02 Co-adjutor Bishops.

Every Co-adjutor Bishop of this Church may hold his Office for life unless he shall succeed to the See or other Jurisdiction in the place of the Bishop Ordinary to whom he is given, retire, resign, or be removed in accordance with the Constitution and Canons of this church.

§6.9.03 Suffragan Bishops.

Every Suffragan Bishop of this Church may hold his Office for life unless he shall retire, resign, or be removed in accordance with the Constitution and Canons of this Church.

§6.9.04 Auxiliary Bishops and Assistant Bishops.

Every Auxiliary Bishop of this Church given to the See or other Jurisdiction of which he is Auxiliary may hold his Office for life unless he shall retire, resign, or be removed in accordance with the Constitution and Canons of this Church.

Every Auxiliary Bishop of this Church given to a holder of the Office of Bishop Ordinary and every Assistant Bishop of this Church also given to a holder of the Office of Bishop Ordinary shall hold his Office as such only during the tenure of the holder of the Office of Bishop Ordinary to whom he be respectively Auxiliary or Assistant, unless he shall retire, resign, or be removed in accordance with the Constitution and Canons of this Church. The Auxiliary Bishop or Assistant Bishop shall resume his Office after the expiration of tenure of the Office holder to whom they were given only upon re-appointment to his respective Office by the new incumbent Bishop Ordinary of that Jurisdiction.

If he should not be so re-appointed to his Office, the lack of appointment shall not affect the rights, duties, and obligations of such Bishop either as a member of the Episcopal Order or of the College of Bishops and Council of Bishops of this Church and of that Province. Such Bishop in any case shall be eligible to election to any Bishopric of this Church save if he already be retired as set forth in Canon 6.10 of this Title.

§6.9.05 Translation.

No translation of any Bishop of this Church shall be permitted save if he first resign, as set forth In Canon 10 of this Title, any previous Episcopal Office or Bishopric he may have held at the time of his election or appointment, and such resignation shall be required before that Bishop enters upon or exercises his new Episcopal Office or Bishopric.

CANON 6.10. EPISCOPAL RESIGNATION.

Any Bishop holding an Episcopal Office or Bishopric within a Province of this Church, Diocesan or otherwise, may resign his Episcopal Office or Bishopric at any time by written notice to the Metropolitan of that Province. The Metropolitan shall thereupon submit his resignation to the College of Bishops of that Province assembled. The resignation shall become effective unless two-thirds (2/3) of the College of Bishops for good and sufficient reason decline to accept his resignation from that Episcopal Office or Bishopric.

Such resignation shall not affect the rights, duties, and obligations of that Bishop either as a member of the Episcopal Order or of the College of Bishops and the Council of Bishops of this Church and of that Province.

CANON 6.11. EPISCOPAL RETIREMENT.

Upon attaining the age of seventy-five (75) years, any Bishop holding an Episcopal Office or Bishopric within a Province of this Church shall annually submit his offer to retire from the Office or Bishopric that he holds to the Synod with his Office. If his offer to retire is accepted by that Synod, he shall be bound to forward his written resignation to the Metropolitan of that Province, who shall submit his resignation to his College of Bishops. The College of Bishops of that Province are then bound to accept his resignation from the Episcopal Office or Bishopric that he held.

CANON 6.12. RESIDENCE.

§6.12.01 Diocesan Bishops or Bishops Ordinary.

(a) In order to fulfil his various duties as the Chief Pastor having the Cure of Souls of all within his Jurisdiction, it shall be the duty of every Diocesan Bishop or Bishop Ordinary habitually and personally to reside within the limits of his Diocese or other Jurisdiction for the major part of the year, even though he may have a Co-adjutor, Suffragan, Auxiliary, or Assistant Bishop. He may absent himself from his Diocese or other Jurisdiction for good cause continuously or intermittently no more than three (3) months, always making adequate provision that no harm will result from such absence to his flock.

(b) His own conscience must decide what cause is sufficient to justify such absence.

(c) Apart from the three (3) months allowable in (a) above, a Diocesan Bishop or Bishop Ordinary may further absent himself if Christian charity, urgent necessity, due obedience, or the evident advantage of the Church~~,~~ requires it, the formal leave and consent of his Metropolitan, with the advice and consent of his College of Bishops, in writing being required for such longer absence.[68]

(d) The Diocesan Bishop or Bishop Ordinary need not always reside in the episcopal city, but he has a particular serious duty to be present at his Cathedral Church, if there be such, in order to pontificate and preside during Advent and Lent and on the Greater Feasts of the Church: Easter, Pentecost, and Christmas.

Only a serious or urgent cause shall justify absence at those times.

§6.12.02 Other Bishops.

(a) Every Co-adjutor Bishop, Auxiliary Bishop, or Assistant Bishop shall reside within the Diocese or other Jurisdiction of the Bishop to whom he shall be respectively Co-adjutor, Auxiliary, or Assistant.

(b) Every Suffragan Bishop or Auxiliary Bishop shall reside within the Diocese or other Jurisdiction to which he shall be respectively Suffragan or Auxiliary.

(c) The Bishops in Sub-sections (a) and (b) of this Section may not be absent from the Diocese or other Jurisdiction in which they minister and have Office, except for the reasons set forth in Section 12.01 (c) of this Canon 6, for more than three (3) months without the leave in writing of the Bishop Ordinary thereof.

CANON 6.13. RESTRICTION TO OWN JURISDICTION.

§6.13.01 Confinement to own Jurisdiction Every Bishop of this Church shall confine himself in what pertains to the discharge of his duties and functions strictly to his

[68] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify that the Metropolitan and College of Bishops of a Province may by written consent dispense an Ordinary from residence within the limits of his Jurisdiction for an indefinite period for the reasons stated.

own Diocese or other Jurisdiction, neither shall he presume to invade the Jurisdiction of another Bishop of this Church.[69]

§6.13.02 Officiating in another Jurisdiction Any Bishop invited to officiate in a Diocese or Jurisdiction other than his own shall assure himself of the goodwill and permission in writing of the Bishop Ordinary thereof before so officiating.

§6.13.03 Episcopal Visitors Excepted The foregoing sections shall not apply in cases where the Metropolitan, exercising the Ecclesiastical Authority of a See or other Jurisdiction in *sede vacante* or temporary avoidance, has asked and commissioned a Bishop to be and act as the Episcopal Visitor thereof until the vacancy or temporary avoidance shall cease.

§6.13.04 Metropolitical Authority Excepted The provisions of this Canon are not meant to limit or circumscribe the jurisdiction, authority, or visitorial rights and powers that the Metropolitan of each Province has by virtue of his Office within his Province and as provided elsewhere in the Canons of this Church or in the Common Law of the Church.

CANON 6.14. PRECEDENCE.

§6.14.01 Order as to Precedence.

The Precedence of Bishops Ordinary in a Province after the Metropolitan thereof and the Primate of this Church is to be ruled by the order of their ordinations and consecrations to the Episcopate. The same applies to all other Bishoprics of that Province after the Bishops Ordinary thereof.

§6.14.02 In Own Diocese or other Jurisdiction.

Each Bishop Ordinary in his own Diocese or other Jurisdiction enjoys the right of precedence over all other Bishops and Archbishops, with the exception of his own Metropolitan and the Primate of this Church.

§6.14.03 The Metropolitan.

The Metropolitan of every Province, as the Chief Bishop and Principal Minister thereof, shall have precedence of all the other Bishops of that Province.

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[69] Canons 5 and 16, Nicaea I, A.D. 325; Canons 13 and 22, Antioch in Encaenis, A.D. 341; Canons 1, 15, 18, Sardica, *circa* A.D. 343; Canon 2, Constantinople I, A.D. 3S1; Canons 14, 16, and 35, Apostolical Canons, circa A.D. 385; Canon 8, Ephesus, A.D. 431; Canon 5, Chalcedon, A.D. 451; Canon 2, Council of Hertford, A.D. 673; and Canon 10, Council of London, A.D. 1126.

CANON 6.15. CANONICAL RIGHTS AND LIMITATIONS OF A BISHOP-ELECT.

§6.15.01 Right of Government in Matters Spiritual.

Every Bishop-Elect elected to the Office of Diocesan Bishop or of Bishop Ordinary of another Jurisdiction of this Church shall, upon having received the confirmation and ratification to his election from the Metropolitan of that Province, present his Certificate of Confirmation and Letters Archiepiscopal from the Metropolitan to the Guardians of the Spiritualities of that See or other Jurisdiction and, if there be such, the Administrator thereof in the presence of the Chancellor of that See or other Jurisdiction, who shall record the proceedings. From the moment of that canonical presentment, the Bishop-Elect, even though he not yet be ordained and consecrated or enthroned and installed, shall be entitled to enter upon the care, government, and administration of the spiritualities of his See or other Jurisdiction and fully is invested to exercise all spiritual jurisdiction, but not temporal, thereof in order that the Church in that place may have the solace of a Pastor.[70] He is henceforth entitled to all the rights of Jurisdiction save for exercise of that which is reserved to or requires him to be in Episcopal Orders.

§6.15.02 Limitation in Matters Temporal. [71]

Such person takes possession of the temporalities of that See or other Jurisdiction and exercises authority in matters temporal only upon his enthronement and installation by the aforementioned Metropolitan or his Episcopal Deputy, following upon his ordination and consecration to the Episcopate if he be not already a Bishop.

§6.15.03 Residence in and Restriction to Own Jurisdiction.

The Bishop-Elect is, after canonical confirmation and ratification of his election by the Metropolitan, bound by and under the same obligations as Bishops Ordinary in what regards their residence and restrictions to their own Jurisdictions as set forth in Canons 6.12 and 6.13 of this Title.

CANON 6.16. MODE OF SECURING AN ACCURATE VIEW OF THE STATE OF THIS CHURCH.

§6.16.01 Statement of the Diocesan Bishop or Bishop Ordinary at every Regular Meeting of Synod.

At every regular meeting of the Synod of a Diocese or other Jurisdiction, the Bishop Ordinary thereof shall make a Statement of the affairs of his Jurisdiction since the last regular meeting of that Synod; all official Episcopal Acts performed by himself or by

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[70] 25 Henry VIII (1534) Chapter 20; 26 Henry VIII (1534) Chapter 14: I Elizabeth I (1559) Chapter 1; Canon 334, *Codex Juris Canonici,* 1917.

[71] 25 Henry VIII (1534) Chapter 20; 1 Elizabeth I (1559) Chapter 1.

any other Bishop for him; the names of all the churches, Parishes, Congregations, Missions, institutions or Houses of Holy Religion he has visited in person or by deputy; the number of persons confirmed or received into this Church in that Jurisdiction from other churches; the names of all those who have been received as Postulants or Candidates for Holy Orders, studying for Holy Orders and whereat, and of those who have been ordained; the names of those who have been deprived or otherwise removed thereby from any Office, Lay or Clerical, within that Jurisdiction; the changes by death, removal, transfer, or otherwise, which have taken place among the Clergy thereof; any appointments to Office made by him; and all matters tending to throw more light upon the affairs of that Jurisdiction; which Statement shall be inserted in the Journal thereof.

Each Bishop Ordinary shall forward also a duplicate of the Statement to his Metropolitan and render to him an account thereof.

§6.16.02 Forwarding Journals and Reports on the State of the Church to the Metropolitan .

(a) It shall be the duty of every Diocesan Bishop or Bishop Ordinary of each Province to cause to have forwarded to his Metropolitan, immediately upon their publication, the Journals of each Synod of his Jurisdiction, together with all Episcopal charges and statements he has made and such other papers as may show the State of the Church in his Jurisdiction. He shall also make such reports on the Canonical Visitations as set forth in Section 6.5.07 of this Title.

(b) It shall also be the duty of every Diocesan Bishop or Bishop Ordinary of each Province, immediately after the adjournment of his Synod next preceding the next regular meeting of the Synod of such Province, to cause to have prepared and forwarded to the Provincial Secretary of that Province, upon the form provided by the Provincial Secretary, a condensed summary of the statistics contained in the Parochial reports and statements by him made to his regular Synod required in Section 6.16.01, with information as to all institutions in any way connected with this Church situate within his Jurisdiction, and also as to the condition of all invested funds and the amount of all contributions received and expended by him or any Bishops given to him or to that Jurisdiction, or otherwise within his Jurisdiction.

Such information shall be tabulated separately for each of the years that Provincial Synod has not met. The Provincial Secretary shall, as soon as may be, present such papers to the Metropolitan and College of Bishops of that Province, in order that the Metropolitan may make his report to that Provincial Synod on the State of the Church therein.

CANON 6.17. REMOVAL FROM THE CANONICAL ROLLS OF THE COLLEGE OF BISHOPS AND OF THE COUNCIL OF BISHOPS.[72]

[72] Amended by the XXIst Synod of the Original Province (Athens, GA, 2015) for clarification.

§6.17.01 Removal.

Upon any mode of resignation by a Bishop subject to the authority of this Church which mode of resignation reasonably implies his rejection of or departure from the authority of this Church in cases where the Abandonment of Communion procedures as set forth in Canons 10.7 and 10.9 are deemed not to be necessary or applicable the name of that Bishop may be removed from the Canonical Rolls of the College of Bishops and of the Council of Bishops of this Church and of a Province of this Church by the action of the Primate of this Church with the advice and consent of two-thirds (2/3) of the membership of the College of Bishops of this Church or until the Primate of this Church has been elected and installed, by the action of the Metropolitan of the Original Province of this Church with the advice and consent of two-thirds (2/3) of the membership of his College of Bishops, as the case may be.

§6.17.02 Effective Date of Removal.

Upon due certification and notice of such action of removal from the Canonical Rolls of the College of Bishops and of the Council of Bishops of this Church and of a Province of this Church noticed to the removed Bishop, the name of that Bishop shall stand as removed from the Canonical Rolls of the College of Bishops and of the Council of Bishops of this Church and of the Province concerned.

§6.17.03 Canonical Effect of Removal.

Any Bishop, whose name has been removed from the Canonical Rolls of the College of Bishops and of the Council of Bishops of this Church and of that Province under the provisions of this Canon, shall be, thereby, prohibited from the performance of any Episcopal Act or Function within the jurisdiction of this Church or from officiating therein, or both.

§6.17.04 Restoration.

Any Bishop whose name has been removed from the Canonical Rolls of the College of Bishops and of the Council of Bishops of this Church and of that Province or of the Original Province of this Church under the provisions of this Canon may, upon the written petition and request of the Bishop, be restored to the Canonical Rolls only by the action of the Primate of this Church, or his lawful Successor to that Office, with the advice and consent of two-thirds (2/3) of the membership of the College of Bishops of this Church, or by the action of the Metropolitan of the Province of this Church from which that Bishop was removed, or that Metropolitan's lawful Successor to that Office, with the advice and consent of two-thirds (2/3) of the membership of his College of Bishops, as the case may be.

§6.17.05 Means of Recording Removal.

Upon the effective date of removal, the Primate or the Metropolitan shall declare and publish the name of the Bishop to be removed from the Canonical Rolls of the

College of Bishops and of the Council of Bishops of this Church and of that Province of this Church.

TITLE VII – OF THE COLLEGE OF BISHOPS

CANON 7.1. THE COLLEGE OF BISHOPS OF THIS CHURCH.

§7.1.01 Government of this Church.

The College of Bishops of this Church with and under the Presidency of the Primate thereof shall have charge of the Government and Administration of this Church.

§7.1.02 Duties of the College of Bishops of this Church.

The College of Bishops of this Church shall perform all duties prescribed for the College by the Constitution and Canons of this Church.

CANON 7.2. MEETINGS OF THE COLLEGE OF BISHOPS OF THIS CHURCH.

§7.2.01 Times of Meeting.

(a) *Regular Canonical Meetings.*

Following each regular Synod of this Church the Primate, or, if there be no Primate, the Metropolitan of this Church most senior in respect of consecration, shall summon all the Bishops subject to the authority of this Church into a formal meeting of the College of Bishops thereof at intervals of not more than fifteen (15) months. He shall send to each Bishop entitled to sit therein a written summons to the formal canonical meeting giving both the time and place thereof at least six (6) weeks prior to the same.

No Bishop of this Church so summoned shall absent himself from any such regular meeting unless for grave and sufficient cause prevented from attending, which cause of absence shall be expressed in writing and communicated to the Primate prior to the meeting.

(b) *Other Meetings.*

The Primate or the Senior Metropolitan of this Church, as set forth in Sub-section (a) of this Section, may summon the members of the College of Bishops to such extraordinary meetings thereof as he may deem necessary for the accomplishment of essential business, giving three (3) weeks notice thereof, designating the time and place of the meeting.

A waiver of such notice may be executed in writing by all the members of that College of Bishops in attendance.

(c) *Other Meetings by Real-Time Electronic Communication.*

Any provision of these Canons to the contrary notwithstanding, the College of Bishops may decide, by a two-thirds (2/3) majority vote of all the members of the College, to hold extraordinary meetings by means of simultaneous voice or voice/video communication, provided that each

member of the College participating in such meeting shall have physically present with him and listening to the meeting a member of his Council of Advice or an officer of his Jurisdiction or other reliable person, and further provided that at least a voice recording shall be made of such meeting and that each such recording shall be retained by the Clerk of the College for a period of not less than ten (10) years.

(d) *Other Means of conducting Affairs or Business of this Church.*

Any provision of these Canons to the contrary further notwithstanding, where a real-time simultaneous voice or voice/video meeting is not feasible the College of Bishops may decide to conduct affairs or business of the Church by means of e-Mail, telefax or other electronic written communication, provided that two-thirds (2/3) of the members of the College first give consent, by such electronic written communication, to such conduct; and further provided that each member of the College participating in such conduct of affairs or business, unless such electronic written communications bear his signature by hand, shall confirm his statements and/or vote by forwarding to the Primate, by post or courier, a hard copy of his electronic written communications signed and dated in his own original hand. Such copies shall be retained by the Clerk of the College for a period of not less than ten (10) years.[73]

§7.2.02 Primate to Preside.

The Primate of this Church, or, if there be no Primate, the Metropolitan most senior in respect of consecration, shall preside at all meetings of the College of Bishops of this Church.[74]

§7.2.03 Absence of a Member. [75]

If any Metropolitan or any Diocesan Bishop or Bishop Ordinary subject to the authority of this Church be absent, the Primate shall forward to the Senior Clerical and Lay Officials of the Jurisdiction of that absent Metropolitan or Diocesan Bishop or Bishop Ordinary, and also to the Council of Advice of such Bishop's Jurisdiction, a summary of all the non-privileged actions taken at the meeting by that College of Bishops from which their Metropolitan or Bishop was absent. He shall also forward to them a

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[73] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for regular and extraordinary meetings of the College of Bishops of this Church, for meetings by real-time electronic communication, and for the conduct of affairs or business of the Church by electronic written communication when necessary (*e.g.,* across several time zones).

[74] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify that the Primate shall preside at all meetings of the College of Bishops of the Church, as a Metropolitan does at all meetings of the College of Bishops of his Province.

[75] §§7.2.03, 7.2.04 and 7.2.05 amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to introduce provisions applicable re non-attendance of a member at meetings of the College of Bishops of the Church such as presently apply to Bishops of a Province.

statement noting the absence of their Metropolitan or Ordinary and the cause stated for the same made by their Metropolitan or Ordinary for that absence, and a copy of this Canon.

§7.2.04 Continuance of Inexcusable Absence.

If any Metropolitan or Diocesan Bishop or Bishop Ordinary of this Church is absent without grave and sufficient cause having been prevented for two (2) consecutive regular meetings of that College of Bishops, he shall be deprived of his vote therein at the meeting next following the second consecutive inexcusable absence.

§7.2.05 Further Action by Primate.

If a Metropolitan or Bishop as set out in Section 7.2.03 is absent without grave and sufficient cause having been prevented for three (3) or more consecutive regular meetings of the College of Bishops of this Church, and the first and the last such meetings being at least fifteen (15) months apart, the Primate of this Church shall take action against that Metropolitan or Bishop as elsewhere provided in these Canons for the Abandonment of the Communion of this Church and shall ensure that pastoral oversight is provided for those previously under the jurisdiction of that Metropolitan or Bishop.

§7.2.06 Rules of Procedure for Meetings of the College of Bishops. [76]

The College of Bishops of this Church possesses the inherent authority to determine, from time to time, such rules and regulations for its meetings as it deems expedient for regulating the practice and procedure thereof. Further, the College of Bishops has the inherent authority and power to act by a maximum requirement of three-fourths (3/4) majority for collegiality, but unless the Constitution of this Church or these Canons or its own rules and regulations mandate a higher quorum, the College of Bishops may act by simple majority of a canonical quorum of one-half (1/2) of its membership, providing always that it has the consent of the Primate.

CANON 7.3. DEPARTMENTS OF THE ADMINISTRATION OF THIS CHURCH.

[Reserved]

CANON 7.4. CERTAIN OFFICERS OF THIS CHURCH.

§7.4.01 Discharge of Duties.

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[76] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to clarify that the College of Bishops of the Church has authority to establish rules and regulations for the conduct of its meetings, as does the College of Bishops of a Province.

The Secretary General, the Registrar, the Chancellor, the Bursar, and the Historiographer of this Church shall perform and discharge the duties of their respective Offices under the immediate and direct supervision of the Primate of this Church.

§7.4.02 The Secretary General and the Duties of that Office.

The Primate of this Church, by and with the advice and consent of the Holy Synod of this Church, shall appoint a Secretary General of this Church who shall be the principal administrative assistant to the Primate and the College of Bishops of this Church in the discharge of their duties set forth in Canons 4 and 5, and shall co-ordinate the activities of the administrative officers and staff of this Church.

The Secretary General shall be responsible for the recording and distribution of the minutes of all meetings of the Holy Synod of this Church and the Journals thereof.

Such distribution, except for good cause prevented, shall be accomplished not more than eight (8) months after the adjournment and prorogation of the regular meetings of the Holy Synod and no less than three (3) months before the next regular meeting of the Holy Synod.

The Secretary General shall perform all other duties prescribed for that Office in these Canons.

The Primate of this Church, by and with the advice and consent of the Holy Synod may appoint a Deputy Secretary General to assist the Secretary General in performance of the duties set out above.[77]

§7.4.03 The Registrar and the Duties of that Office.

The Primate of this Church, by and with the advice and consent of the Holy Synod of this Church, shall appoint a Registrar of this Church, whose duty it shall be to receive all Journals, files, papers, reports, and other documents or articles that are, or shall become, the property of any House of the Holy Synod; to arrange, label, index, and put them in order; to provide for their safekeeping and accessibility, and to hold them under such regulations as the Holy Synod may, from time to time, provide.

It shall also be the duty of the Registrar to procure a suitable book, and to enter therein the record of the ordinations and consecrations of all the Bishops of this church designating accurately the time and place of the same, with the names of the consecrating Bishops, and of other Bishops present and assisting; to have the same authenticated in the fullest manner practicable, including Signatures and Seals of the consecrating Bishops. Due notice of the time and place of such consecrations shall be given to the Registrar of this Church by the Metropolitan of the Province wherein such consecrations shall take place, and thereupon it shall be the duty of the Registrar to attend such consecrations, either in person or by deputy.

The Registrar shall prepare, in such form as the College of Bishops of this Church shall prescribe, for consecrations by the Primate acting as Metropolitan as set forth in

[77] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of a Deputy Secretary General.

Canon 5.5, the Letters of Consecration in duplicate; and ~~he~~ shall have the same immediately signed and sealed by the consecrating Bishops, and by other Bishops assisting as may be practicable; and shall deliver to the newly-consecrated Bishop one of the Letters, and shall carefully file the other among the papers in ~~his~~ the custody of the Registrar, and put them in order; to provide for their safekeeping and accessibility; and to hold them under such regulations as the Holy Synod may, from time to time, provide.

Due notice of the time and place of such consecrations shall be given by the Primate to the Registrar, and thereupon it shall be the duty of the Registrar to attend such consecrations, either in person or by deputy.

It shall also be the duty of the Registrar to enter in such Book of Record the record of the ordinations and consecrations of all Bishops of this Church under the authority of the Primate as their Metropolitan as set forth in Canon 5.5, designating accurately the time and place of the some, with the names of the consecrating Bishops, and of other Bishops present and assisting; to have the same authenticated in the fullest manner practicable; and to make a minute thereof in that Book of Record.

The Primate of this Church, by and with the advice and consent of the Holy Synod may appoint a Deputy Registrar to assist the Registrar in performance of the duties set out above.[78]

§7.4.04 The Chancellor and the Duties of that Office.

The Primate of this Church, by and with the advice and consent of the Holy Synod of this Church, shall appoint some devout Communicant of this Church, being learned in the law, as the Chancellor of this Church.

The Chancellor shall, upon due and proper request, advise the Primate, the College of Bishops of this Church, the High Court of the Holy Synod, the Marriage Tribunal of this Church, other ecclesiastical bodies or entities of this Church, and the Holy Synod or any of its Houses on matters pertaining to the Laws Ecclesiastical or to the Laws Civil, or both.

The Chancellor of every Province of this Church shall be, *ex officio,* a Deputy, to the Chancellor of this Church, and shall, as necessary, render advice and assistance to him.

The Chancellor of this Church shall not concurrently be the Chancellor of any Diocese or other Jurisdiction of this Church or of any Province of this Church.

The Primate of this Church, by and with the advice and consent of the Holy Synod may appoint some devout Communicant of this Church, being learned in the law, as Vice-Chancellor of this Church to give particular advice and to assist the Chancellor in performance of any of the duties set out above.[79]

§7.4.05 The Bursar and the Duties of that Office.

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[78] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of a Deputy Registrar.

[79] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of a Vice-Chancellor.

The Primate of this Church, by and with the advice and consent of the Holy Synod of this Church, shall appoint a Bursar of this Church, who shall perform the usual duties of a Treasurer.

The Bursar shall particularly receive and disburse all monies received under the authority of this Church, and of which the reception and disbursement shall not otherwise be prescribed; and, with advice and consent of the Primate, shall invest, from time to time, surplus funds deemed available.

The Bursar's account shall be audited in accordance with the provisions of these Canons and that account then shall be rendered to the Holy Synod at each regular meeting thereof.

The Bursar also shall submit a financial report to each regular scheduled meeting of the College of Bishops of this Church.

The Bursar, in consultation with the chief financial officers of all the constituent Dioceses and other Jurisdictions of this Church and of all the constituent Provinces of this Church or otherwise subject to the authority of this Church, shall prepare and present a proposed budget for the next fiscal term to the College of Bishops of this Church for their approval, upon which the budget shall thereafter be presented at the next regular meeting of the Holy Synod.

The Primate of this Church, by and with the advice and consent of the Holy Synod shall appoint one or more Deputy Bursars to assist the Bursar in performance of the duties set out above.[80]

§7.4.06 The Historiographer and the Duties of that Office.

The Primate of this Church, by and with the advice and consent of the Holy Synod of this Church, shall appoint an Historiographer of this Church, who shall perform the duties of archivist of this Church.

§7.4.07 Term of Tenure of Office of the Officers of this Church.

The term of tenure of Office of the Secretary General and any Deputy Secretary General, of the Registrar and any Deputy Registrar, of the Chancellor and any Vice-Chancellor, of the Bursar and any Deputy Bursars, and of the Historiographer of this Church, mentioned in Sections 7.4.02, 7.4.03, 7.4.04, 7.4.05 and 7.4.06, shall have been from the adjournment and prorogation of the regular meeting of the Holy Synod at which such Officer shall be appointed, respectively Secretary General, Deputy Secretary General, Registrar, Deputy Registrar, Chancellor, Vice-Chancellor, Bursar, Deputy Bursars or Historiographer, as the case may he, to the adjournment and prorogation of the next regular meeting of the Holy Synod.

Upon a vacancy occurring during the term of tenure of any such Office, the Primate of this Church, with the advice and consent of the College of Bishops of this

[80] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of Deputy Bursars.

Church, shall have authority to appoint an Acting Officer to such vacancy until the adjournment and prorogation of the next regular meeting of the Holy Synod.[81]

§7.4.08 Seat, Voice, and Vote in the Holy Synod.

The Secretary General, the Registrar, the Chancellor, the Bursar, and the Historiographer of this Church, or those who are currently Acting Officers in any of those capacities, shall have by right of Office seat, voice, and vote in the Holy Synod of this Church and in the appropriate House thereof of which ecclesiastical State and Order he or she shall be, respectively, a member.[82]

CANON 7.5. THE COLLEGE OF BISHOPS OF EACH PROVINCE OF THIS CHURCH.

§7.5.01 Government of the Church in each Province.

The College of Bishops of each Province with and under the Presidency of the Metropolitan thereof shall have charge of the Government and Administration of the Church in that Province.

§7.5.02 Duties of the College of Bishops of each Province.

The College of Bishops of each Province of this Church shall perform all duties prescribed for the College by the Constitution and Canons of this Church and of that Province.

CANON 7.6. MEETINGS OF THE COLLEGE OF BISHOPS OF EACH PROVINCE OF THIS CHURCH.

§7.6.01 Times of Meeting.[83]

(a) (i) *Regular Canonical Meetings.*

The Metropolitan of each Province of this Church, or, if there be no Metropolitan, the Bishop Ordinary thereof most senior in respect of consecration, shall summon all the Bishops of that Province subject to the authority of this Church into a formal meeting of the College of Bishops

[81] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to include any Deputy Secretary General, Deputy Registrar, Vice-Chancellor or Deputy Bursar in the provisions governing term of tenure of Office.

[82] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to include any currently Acting Officers of the Church in those having seat, voice and vote.

[83] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the conduct of affairs or business of a Province by its College of Bishops by means of electronic written communication when necessary; also amended for clarification and conformation.

thereof on at least two (2) occasions during each calendar year**,** such meetings to be separated by an interval of at least three (3) months. He shall send to each Bishop entitled to sit therein a written summons to the formal canonical meeting giving both the time and place thereof at least three (3) weeks prior to the same.

No Bishop of that province so summoned shall absent himself from any such regular meeting unless for grave and sufficient cause prevented from attending, which cause of absence shall be expressed in writing and communicated to the Metropolitan prior to the meeting.

(a) (ii) *Impedence of Regular Canonical Meetings.*

If (for grave and sufficient cause) not more than one (1) regular semi-annual canonical meeting be in any year impeded, then with the written consent of two-thirds (2/3) of the Bishops of that Province, such meeting shall be waived. In such case an extraordinary meeting of the College of Bishops of the Province shall be held pursuant to Section 7.6.01(b), and such extraordinary meeting shall be held as closely as possible to the date of the waived regular canonical meeting.

(b) *Other Meetings.*

The Metropolitan or the Senior Bishop Ordinary of each Province of this Church, as set forth in Sub-section (a) of this Section, may summon the members of the College of Bishops to such extraordinary meetings thereof as he may deem necessary for the accomplishment of essential business, giving ten (10) days notice thereof, designating the time and place of the meeting.

A waiver of such notice may be executed in writing by all the members of that College of Bishops in attendance.

(c) *Other Meetings by Real-Time Electronic Communication.*

Any provision of these Canons to the contrary notwithstanding, the College of Bishops may decide, by a two-thirds (2/3) majority vote of all the members of the College, to hold extraordinary meetings by means of simultaneous voice or voice/video communication, provided that each member of the College participating in the meeting shall have physically present with him and listening to the meeting a member of his Council of Advice or an officer of his Jurisdiction or other reliable person, and further provided that at least a voice recording shall be made of each such meeting and that the recording shall be retained by the Clerk of the College for a period of not less than five (5) years.

(d) *Other Means of conducting Affairs or Business of a Province.*

Any provision of these Canons to the contrary further notwithstanding, where a real-time simultaneous voice or voice/video meeting is not feasible the College of Bishops of a Province may decide to conduct affairs or business of the Church by means of e-Mail, telefax or other electronic written communication, provided that two-thirds (2/3) of the members of that College first give consent, by such electronic written communication, to such conduct; and further provided that each member of that College participating in such conduct of affairs or business, unless such electronic written

communications bear his signature by hand, shall confirm his statements and/or vote by forwarding to his Metropolitan, by post or courier, a hard copy of his electronic written communications signed and dated in his own original hand. Such copies shall be retained by the Clerk of that College for a period of not less than five (5) years.[84]

§7.6.02 Absence of a Member.

If any Diocesan Bishop or Bishop Ordinary of that Province be absent, the Metropolitan shall forward to the Senior Clerical and Lay Officials of the Jurisdiction of that absent Diocesan Bishop or Bishop Ordinary and also to the Council of Advice of that Jurisdiction a summary of all the non-privileged actions taken at the meeting by that College of Bishops from which their Bishop was absent. He shall also forward to them a statement noting the absence of their Ordinary and the cause stated for the same made by their Ordinary for that absence, and a copy of this Canon.

§7.6.03 Continuance of Inexcusable Absence.

If any Diocesan Bishop or Bishop Ordinary of a Province of this Church is absent without grave and sufficient cause having been prevented for two (2) consecutive regular meetings of that College of Bishops, he shall be deprived of his vote therein for a period of four (4) months following the second consecutive inexcusable absence.

§7.6.04 Further Action by Metropolitan.

If a Bishop as set out in Section 7.4.03 is absent without grave and sufficient cause having been prevented for three (3) or more consecutive regular meetings of the College of Bishops of that Province, and the first and the last such meetings being at last five (5) months apart, the Metropolitan of that Province shall take action against that Bishop as elsewhere provided in these Canons for the Abandonment of the Communion of this Church and shall provide pastoral oversight for those previously under the jurisdiction of that Bishop.

§7.6.05 Rules of Procedure for Meetings of the College of Bishops.

The College of Bishops of each Province of this Church possesses the inherent authority to determine, from time to time, such rules and regulations for its meetings as it deems expedient for regulating the practice and procedure thereof. Further, each College of Bishops has the inherent authority and power to act by a maximum requirement of three-fourths (3/4) majority for collegiality, but unless the Constitution of this Church, these Canons, the Constitution or Canons of that Province, or its own rules and regulations mandate a higher quorum,[85] the College of Bishops may act by simple majority of a canonical quorum of one-half (1/2) of its membership, providing always that it has the consent of the Metropolitan.

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[84] Amended by the XIIth Synod of the Original Province (Norfolk, VA, 1997) to add this Sub-section.

[85] Amended by the XIIIth Synod of the Original Province (Indianapolis, IN, 1999) to add "a higher quorum."

CANON 7.7. DEPARTMENTS OF EACH PROVINCE OF THIS CHURCH.

§7.7.01 Departments and Duties.

To assist the College of Bishops of each Province of this Church in the discharge of their duties as set forth in Section 7.5.01 and to co-ordinate the activities of that Province, there shall be established the following Departments in each Province. Each of these Departments shall be chaired by a Bishop who shall be appointed by the Metropolitan of each Province with the advice and consent of his College of Bishops, and each Department shall be responsible for the development and recommendations of programmes, assistance to the Dioceses or other Jurisdictions of that Province, and to oversee, monitor, and guide all Provincial activities in its respective field of responsibility, as set forth in the following Sub-sections of this Canon:

(a) *Ministry:*

The Department of the Ministry shall be charged with the responsibility and duty to study, review, and recommend to the Synod of that Province and to the College of Bishops thereof, policies and programmes dealing and concerned with:

(i) the development of ministerial resources and the encouragement of vocations to the Sacred Ministry;

(ii) the means and methods for meeting the canonical requirements for Holy Orders;

(iii) the role and requirements of a Permanent or Perpetual Diaconate;

(iv) the role and requirements, as well as encouragement, of late or mature vocations to the Sacred Ministry;

(v) the role, training, specific qualifications, and encouragement of vocations to the lay ministries of the Church, especially the respective Offices of Deaconess, Lay Reader, and Lay Worker of the Church; and

(vi) determination of the need for, requirements of, and development of guidelines and limitations to be placed upon voluntary associations of a ministerial or quasi-ministerial nature which desire the status of official sanction in that Province of this Church.

In the latter case, the area of responsibility shall extend to and include such associations or organisations as Societies of the Common Life, Confraternities or Archconfraternities, Guilds and Sodalities, Lay Associations and Associations of the Faithful, Brotherhoods and the like, and which transcend parochial boundaries and the boundaries of Dioceses or other Jurisdictions of that Province, but that area of responsibility shall not in any wise extend to or include Religious Orders, Communities, or Institutes.

(b) *Ecumenical Relations:*

The Department of Ecumenical Relations shall consist, among others, of a Committee on Ecumenical Relations and a Committee on Validation of Orders. The Chairman of each Committee shall be appointed by that Metropolitan with the advice and consent of his College of Bishops.

(c) *Theological Education:*

The Department of Theological Education shall be charged with the responsibility and duty to study, review, report and recommend to each Synod of that Province, and to its College of Bishops, policies, means and methods regarding:

(i) the provision and funding of theological education within the Province; and

(ii) the award of scholarships and other incentives to promote theological education within the Province.

The Department of Theological Education shall be composed of six (6) persons: two (2) Bishops appointed by that College of Bishops, one (1) clergyman elected by that Senate of the Clergy, one (1) clergyman appointed by the Prolocutor of that Senate, one (1) layman elected by that Assembly of the Laity, and one (1) layman appointed by the Speaker of that Assembly. If any episcopal, clerical or lay member shall resign or become unable to serve, then the Metropolitan, Prolocutor or Speaker, as the case may be, shall appoint a person to serve in that person's place until the next Provincial Synod.[86]

(d) *The Armed Forces*:[87]

The Department of The Armed Forces shall be charged with the responsibility and duty to study, review, and recommend to the Synod of that Province and to the College of Bishops thereof, policies and programmes dealing and concerned with:

(i) the development of resources and the encouragement of vocations to serve this Church in its mission to members of the Armed Services in each of the countries within that Province;

(ii) the need, means and methods for additional instruction and training of Clergy and Laity to implement the mission of this Church to members of the Armed Services;

(iii) the role of Parishes as well as the Dioceses of that Province in support of the mission of this Church to members of the Armed Services;

(iv) the supply of vestments, consecrated temporalities, and appropriate materials and equipment to Clergy and Laity serving under Military

[86] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to replace the former Department of Christian Education with the Department of Theological Education.

[87] Amended by the XVIth Synod of the Original Province (Grand Rapids MI, 2005) to add the present provisions.

Orders in implementation of the mission of this Church to members of the Armed Services; and

(v) determination of the need for, requirements of, and development of guidelines and limitations to be placed upon voluntary associations of a ministerial or quasi-ministerial nature which exist or may be brought into being for the benefit of those in military service, and who desire the status of official sanction in that Province of this Church.

(e) *Evangelism:.*

The Department of Evangelism shall be charged with the responsibility and duty, among others, of seeing that every member of the Church fully comprehends and acts upon his duty to be a herald of the Good News of our Lord and Saviour Jesus Christ and to build the Kingdom of God.

To assist such ends, the Department of Evangelism shall from time to time review, study, and recommend to the Synod of the Province and to the College of Bishops thereof, policies and programmes dealing with:

(i) the means and methods to bring people to our Lord and Saviour Jesus Christ through the Church for the greater honour and glory of God;

(ii) the means and methods to teach Anglican Catholics the role of Evangelism in a sacramental Church;

(iii) the means and methods to promote personal spiritual growth and renewal in order to make disciples of those whom we evangelise; and

(iv) the means and methods to act as a source of information on evangelistic activities within the Anglican Catholic Church.

(f) *Stewardship:*

The Department of Stewardship shall include, among other elements, a Finance Committee.

The Finance Committee shall, through the Chairman of the Stewardship Department, advise the College of Bishops of each Province on financial matters related to Title XXI of these Canons, and the work of such Committees in the several Provinces shall be co-ordinated in such areas as insurance and pensions in order to obtain the best possible business and administrative basis for the whole Church. The Chairman of this Committee shall be appointed by the Chairman of the Stewardship Department. The Provincial Bursar shall be an *ex-officio* member of the Committee.

The Department of Stewardship shall also include, among other elements, an Audit Committee. This Committee shall consist of three (3) members, one (1) Episcopal, one (1) Clerical and one (1) Lay, each from a different Diocese or other such Jurisdiction of that Province and appointed thereto by the Chairman of the Stewardship Department. The Chairman of this Committee shall be the Episcopal member.

The Audit Committee shall periodically but not less often than annually review the accounts held or controlled by the Province through its civil

corporation and any other temporal instrumentality, and shall act in this respect as internal auditors for the Province. The Provincial Bursar shall provide access to and/or copies of ledgers, statements of account and other financial documents related to the financial assets of the Province, and shall otherwise assist the Committee in the discharge of its duties. The Audit Committee shall report annually in writing to the College of Bishops concerning its examinations of the financial records, and may for reasons stated recommend at any time an examination by external auditors.[88]

(g) *Multi-Lingual Resources:*

The Department of Multi-Lingual resources shall be charged with the responsibility and duty of preparing and recommending programmes, and providing resources in the appropriate languages in support of the evangelical and missionary efforts of, as well as the Apostolic Mission of the Church within, the Dioceses and other Jurisdictions of that Province that are directed toward native or other population segments whose language is other than English.

The Chairman of each Department may appoint Commissions as segments of that Department, each Commission shall be directed toward a single language or related group of languages, when the Metropolitan of that Province and his College of Bishops shall determine that a sufficient need exists for work in a designated language or group of languages. The Chairman of each Commission shall be appointed by the Chairman of that Department, subject to the assent of the Metropolitan of that Province.

Each Department of Multi-Lingual Resources shall be provided guidance and direction by the Metropolitan of that Province and his College of Bishops with respect to the priority and scope of work in the designated languages or group of languages.

§7.7.02 Terms of Tenure of Office.

(a) The term of tenure of Office of each Chairman of the Departments established in Section 7.7.01 shall be from the adjournment of the regular meeting of the Synod of that Province at which each such appointment is announced to the adjournment of the next regular meeting thereof.

(b) Unless otherwise provided in Section 7.7.01:

The Bishop Ordinary or Episcopal Authority of each Diocese or other Jurisdiction shall, in consultation with the Chairman of each Department, appoint one (1) or two (2) persons at each annual synod of his Jurisdiction to serve as members of each of the Departments. Such person may be a Clerical or Lay Communicant and shall agree prior to appointment to serve actively in each Department to which he is appointed.

The Chairman of each Department may additionally appoint up to four (4) persons to serve as voting members of that Department, subject to the

[88] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to establish the Audit Committee.

consent of the Ordinary within whose Jurisdiction such an appointee resides.[89]

§7.7.03 Departmental Statements and Reports by Chairmen.

(a) *Statements and Reports to each Metropolitan and His College of Bishops:*

Each Chairman of a Department established in Section 7.7.01 shall submit a written Statement and Report of the work, public policy, and activities of the Department for which he is responsible and render an account thereof annually to his Metropolitan and the College of Bishops of that Province.

(b) *Statements and Reports to each Provincial Synod:*

Each Chairman shall submit a written Statement and Report as set forth in Sub-section (a) of this Section to each regular meeting of that Provincial Synod and render an account thereof for the period between regular meetings of that Synod.

Each Chairman also shall be duly prepared to respond at the time of presentation of that Statement and Report to that Provincial Synod, to any written questions previously received and to oral questions of which previous notice has been given, if pertinent to the subject of that Statement and Report.

Such Statements and Reports shall be distributed to the members, respectively, of the Council of Bishops, of the Senate of Clergy, and of the Assembly of the Laity of the Synod of that Province no later than thirty (30) days prior to the time of registration at the meetings of that Provincial Synod.

CANON 7.8. CERTAIN OFFICERS OF EACH PROVINCE OF THIS CHURCH.

§7.8.01 Discharge of Duties.

The Secretary, the Registrar, the Chancellor, the Bursar, and the Historiographer of each Province of this Church shall perform and discharge the duties of their respective Offices under the immediate and direct supervision of the Metropolitan of that Province.

§7.8.02 The Secretary of each Province of this Church and the Duties of that Office.

The Metropolitan of each Province of this Church, by and with the advice and consent of his Provincial Synod, shall appoint a Provincial Secretary thereof who shall be the principal administrative assistant to the Metropolitan and the College of Bishops in the discharge of their duties set forth in Section 7.7.01 and shall coordinate the activities of the administrative officers and staff of that Province.

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[89] Amended by the XIIth Synod of the Original Province (Norfolk, VA, 1997) to move the general membership provision to a new Sub-paragraph (b). Amended by the XIIIth Synod (Indianapolis, IN, 1999) to add the jurisdictional consent provision.

The Provincial Secretary shall be responsible for the recording and distribution of the minutes of all meetings of the Provincial Synod and the Journals thereof.

Such distribution, except for good cause prevented, shall be accomplished not more than eight (8) months after the adjournment and prorogation of the regular meetings of the Synod of that Province and no less than three (3) months before the next regular meeting of the Synod.

The Provincial Secretary shall perform all other duties prescribed for that Office in these Canons and in the Constitution or Canons of that Province.

The Metropolitan of each Province of this Church, by and with the advice and consent of his Provincial Synod may appoint a Deputy Provincial Secretary to assist the Provincial Secretary in performance of the duties set out above.[90]

§7.8.03 The Registrar of each Province of this Church and the Duties of that Office.

The Metropolitan of each Province of this Church, by and with the advice and consent of his Provincial Synod, shall appoint a Registrar thereof, whose duty it shall be to receive all Journals, files, papers, reports, and other documents or articles that are, or shall become, the property of any House of that Provincial Synod; to arrange, label, index, and put them in order; to provide for their safekeeping and accessibility within the archives established by the Historiographer; and to hold them under such regulations as the Synod may from time to time, provide.

It shall also be the duty of the Provincial Registrar to procure a suitable book, and to enter therein the record of the ordinations and consecrations of all the Bishops of that Province, designating accurately the time and place of the same, with the names of the consecrating Bishops, and of other Bishops present and assisting; to have the same authenticated in the fullest manner practicable, including the Signatures and Seals of the consecrating Bishops.

Due notice of the time and place of such consecrations shall be given by the Metropolitan to the Provincial Registrar, and thereupon it shall be the duty of that Registrar to attend such consecrations, either in person or by deputy.

The Provincial Registrar shall prepare, in such form as the College of Bishops shall prescribe, the Letters of Consecration in duplicate; and shall have the same immediately signed and sealed by the consecrating Bishops, and by such other Bishops assisting as may be practicable; and shall deliver to the newly-consecrated Bishop one of the Letters, and shall carefully file the other among the papers in the custody of the Provincial Registrar, and make a minute thereof in the Book of Record. The Provincial Registrar shall also deliver to the Registrar of this Church a certified copy of such Letters along with certified copies of other pertinent documents or documentation.

The Metropolitan of each Province of this Church, by and with the advice and consent of his Provincial Synod may appoint a Deputy Provincial Registrar to assist the Provincial Registrar in performance of the duties set out above.[91]

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[90] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of a Deputy Provincial Secretary.

§7.8.04 The Chancellor of each Province of this Church and the Duties of that Office.

The Metropolitan of each Province of this Church, by and with the advice and consent of the Provincial Synod, shall appoint some devout Communicant of this Church, being learned in the law, as Chancellor of that Province.

The Provincial Chancellor shall, upon due and proper request, advise the Metropolitan of that Province, the College of Bishops of that Province, the Court of the Metropolitan or Provincial Court of that Province, the Marriage Tribunal of that Province, other ecclesiastical bodies or entities of that Province, and the Synod of that Province or any of its Houses on matters pertaining to the Laws Ecclesiastical or to the Laws Civil, or both.

The Chancellor of every Diocese or other Jurisdiction of that Province, if there be a Chancellor, shall be *ex officio* a Deputy to the Chancellor of that Province, and shall, as necessary, render advice and assistance to the Provincial Chancellor.

No Chancellor of any Province of this Church shall concurrently serve as the Chancellor of any Diocese or other Jurisdiction of that Province or of any other ecclesial body or entity within or of that Province.

The Metropolitan of each Province of this Church, by and with the advice and consent of his Provincial Synod may appoint some devout Communicant of this Church, being learned in the law, as Vice-Chancellor of that Province to give particular advice, and to assist the Provincial Chancellor in performance of any of the duties set out above.[92]

§7.8.05 The Bursar of each Province of this Church and the Duties of that Office.

The Metropolitan of each Province of this Church, by and with the advice and consent of the Provincial Synod, shall appoint a Bursar thereof, who shall perform the usual duties of a Treasurer.

The Bursar shall particularly receive and disburse all monies received under the authority of the Provincial Synod, and of which the reception and disbursement shall not otherwise be prescribed; and, with the advice and consent of the Metropolitan of the Province, shall invest, from time to time, surplus funds deemed available.

The Bursar's account shall be audited in accordance with the provisions of Canon 21.9, and the account then shall be rendered to the Provincial Synod at each regular meeting thereof.

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[91] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of a Deputy Registrar.

[92] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of a Provincial Vice-Chancellor.

The Bursar also shall submit a financial report to each regular scheduled meeting of the College of Bishops of that Province.

The Bursar, in consultation with the chief financial officers of all the constituent Dioceses and other Jurisdictions of the Province or otherwise subject to the authority of the Province which he serves, shall prepare pursuant to the provisions of Canon 21.7 and present a proposed budget for the next fiscal term to the College of Bishops for their approval, upon which the budget shall thereafter be presented at the next regular meeting of the Provincial Synod.

The Metropolitan of each Province of this Church, by and with the advice and consent of his Provincial Synod shall appoint one or more Deputy Provincial Bursars to assist the Provincial Bursar in performance of the duties set out above. Further duties of the Provincial Bursar and of Deputy Bursars, and their relation to the Administrative Council of the Province, are set forth in Title XXI of these Canons.[93]

§7.8.06 The Historiographer of each Province of this Church and the Duties of that Office.

The Metropolitan of each Province of this Church, by and with the advice and consent of the Provincial Synod, shall appoint an Historiographer, who shall perform the duties of archivist of that Province.

§7.8.07 Term of Tenure of Office of the Officers of each Province.

The term of tenure of Office of the Secretary and any Deputy Secretary, of the Registrar and any Deputy Registrar, of the Chancellor and any Vice-Chancellor, of the Bursar and Deputy Bursars, and of the Historiographer of each Province of this Church, mentioned in Sections 7.8.02, 7.8.03, 7.8.04, 7.8.05 and 7.8.06, shall be from the adjournment and prorogation of the regular meeting of the Provincial Synod at which such Officer shall have been appointed Secretary, Deputy Secretary, Registrar, Deputy Registrar, Chancellor, Vice-Chancellor, Bursar, Deputy Bursar or Historiographer, to the adjournment and prorogation of the next regular meeting of that Synod.[94]

Upon a vacancy occurring during the term of tenure of any such Office, the Metropolitan of the Province, with the advice and consent of his College of Bishops, shall have authority to appoint an Acting Officer to such vacancy until the adjournment and prorogation of the next regular meeting of that Provincial Synod.

§7.8.08 Seat, Voice, and Vote in each Provincial Synod of this Church.

The Secretary, the Registrar, the Chancellor, the Bursar, and the Historiographer, or those who are currently Acting Officers in any of those capacities, of each Province of this Church shall have by right of Office seat, voice, and vote in the Provincial Synod and

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[93] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide for the appointment of Provincial Deputy Bursars.

[94] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to include any Deputy Provincial Secretary, Deputy Provincial Registrar, Provincial Vice-Chancellor or Deputy Provincial Bursar in the provisions governing term of tenure of Office.

in the appropriate House thereof of which ecclesiastical State and Order he or she shall be, respectively, a member.[95]

[95] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to give any Acting Provincial Officers seat, voice and vote in their Provincial Synod.

TITLE VIII – OF THE HOLY SYNOD AND PROVINCIAL SYNODS

CANON 8.1. THE HOLY SYNOD.

§8.1.01 The Council of Bishops in the Holy Synod.

(a) *Membership of the Council of Bishops.*

Every Bishop subject to the authority of this Church shall have a seat, voice, and vote in the Council of Bishops of the Holy Synod of this Church.

(b) *President of the Council of Bishops in the Holy Synod.*

The Primate of this Church shall be the President of the Council of Bishops in the Holy Synod. The Metropolitan next most senior in respect of Office shall preside in the absence of the Primate or in case of his inability to act as President. If there be no Metropolitan present, the Bishop elected as President of the Council of Bishops at the Holy Synod shall be, act, and serve as President of that House.

§8.1.02 Senate of the Clergy in the Holy Synod.

(a) *Membership of the Senate of the Clergy.*

(i) The Clergy in every Ordinary Diocese of this Church shall be entitled to representation in the Senate of the Clergy of the Holy Synod by seven (7) Priests or Deacons canonically resident therein. Each Diocese shall prescribe by Canon the manner in which such Clerical Delegates shall be chosen and the length of their term of tenure of Office.

(ii) The Clergy in every Missionary Diocese of this Church shall be entitled to representation in the Senate of the Clergy of the Holy Synod by three (3) Priests or Deacons canonically resident therein. Each Missionary Diocese shall prescribe by Canon the manner in which such Clerical Delegates shall be chosen and the length of their term of tenure of Office.

(iii) The Clergy in every Missionary District of this Church shall be entitled to representation in the Senate of the Clergy of the Holy Synod by three (3) Priests or Deacons canonically resident therein. Each Province shall prescribe by Canon the manner in which such Clerical Delegates shall be chosen and the length of their term of tenure of Office.

(iv) The Clergy in every Jurisdiction of The Armed Forces or other Military Jurisdiction and any Clergy in the Patrimony of the Metropolitan or other Jurisdiction of this Church within each Province thereof shall be entitled to representation in the Senate of the Clergy of the Holy Synod by three (3) Priests or Deacons

canonically resident therein. Each Province shall prescribe by Canon, or otherwise by Resolution of the College of Bishops of the Province, the manner in which the Clerical Delegates shall be chosen and the length of their term of tenure of Office.[96]

(b) *Prolocutor of the Senate of Clergy.*

There shall be a Prolocutor and a Deputy Prolocutor of the Senate of the Clergy in the Holy Synod who shall be elected from the members thereof and who shall perform the duties normally appropriate to their respective Offices and also the duties specified for each in the Constitution or Canons of this Church. They shall be elected and the length of their term of tenure of Office shall be determined not later than the second day of each regular meeting of the Holy Synod in the manner herein set forth. Such Officers, unless re-elected, shall take Office at the adjournment and prorogation of the regular meeting of that Holy Synod, and they shall continue in Office until adjournment and prorogation of the following regular meeting of the Holy Synod at which they are elected. They shall be and remain *ex officio* members of that Senate during the length of their term of tenure of Office. The Prolocutor and Deputy Prolocutor shall be eligible to succeed themselves. In case of resignation, death, absence, or inability of the Prolocutor, the Deputy Prolocutor shall perform the duties of the Prolocutor until a new Prolocutor is elected.

§8.1.03 Assembly of the Laity in the Holy Synod.

(a) *Membership of the Assembly of the Laity.*

(i) The Laity in each Ordinary Diocese of this Church shall be entitled to representation in the Assembly of the Laity of the Holy Synod by seven (7) Lay Communicants canonically resident therein. Each Diocese shall prescribe by Canon the manner in which such Lay Delegates shall be chosen and of the length of their term of tenure of Office.

(ii) The Laity in every Missionary Diocese of this Church shall be entitled to representation in the Assembly of the Laity of the Holy Synod by three (3) Lay Communicants canonically resident therein. Each Missionary Diocese shall prescribe by Canon the manner in which such Lay Delegates shall be chosen and the length of their term of tenure of Office.

(iii) The Laity in every Missionary District of this Church shall be entitled to representation in the Assembly of the Laity of the Holy Synod by three (3) Lay Communicants canonically resident therein. Each Province shall prescribe by Canon the manner in which such

[96] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to establish the membership of the Senate of the Clergy in the Holy Synod, and to set out in one sub-Section of the Canon the numbers of Clerical Delegates from the various types of jurisdictions, the method of their election and appointment and the terms of their tenure of Office.

Lay Delegates shall be chosen and the length of their term of tenure of Office.

(iv) The Laity in every Jurisdiction of The Armed Forces or other Military Jurisdiction and any Laity in the Patrimony of the Metropolitan or other Jurisdiction of this Church within each Province thereof shall be entitled to representation in the Assembly of the Laity of the Holy Synod by three (3) Lay Communicants being canonically within the responsibility of the Jurisdiction concerned. Each Province shall prescribe by Canon, or otherwise by Resolution of the College of Bishops of the Province, the manner in which such Lay Delegates shall be chosen and the length of their term of tenure of Office.[97]

(b) *Speaker of the Assembly of the Laity.*

There shall be a Speaker and a Deputy Speaker of the Assembly of the Laity in the Holy Synod, who shall perform the duties normally appropriate to their respective Offices and also the duties specified for each in the Constitution or Canons of this Church. They shall be elected and the length of their term of tenure of Office shall be determined not later than the second day of each regular meeting of the Holy Synod in the manner therein set forth. Such Officers, unless re-elected, shall take Office at the adjournment and prorogation of that regular meeting of the Holy Synod, and they shall continue in Office until adjournment and prorogation of the following regular meeting of the Holy Synod at which they are elected. They shall be and remain *ex officio* member of that Assembly during the length of their term of tenure of Office. The Speaker and Deputy Speaker shall be eligible to succeed themselves. In case of resignation, death, absence, or inability of the Speaker, the Deputy Speaker shall perform the duties of the Speaker until a new Speaker is elected.

§8.1.04 [Reserved] [98]

§8.1.05 Quorum of the Houses of Synod; Adjournments .

(a) A quorum of each House of the Holy Synod shall consist of no less than fifty percent (50%) of the whole membership thereof.

(b) No House of the Holy Synod, without the consent of the other Houses of the Synod and of the President thereof, shall adjourn or recess for more than four (4) hours or to any place other than that in which the Synod is sitting.

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[97] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to establish the membership of the Assembly of the Clergy in the Holy Synod, and to set out in one sub-Section of the Canon the numbers of Lay Delegates from the various types of jurisdictions, the method of their election and appointment and the terms of their tenure of Office.

[98] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to transfer the content to §8.1.02(a)(iv).

§8.1.06 Frequency, Time, and Place of Meetings of the Holy Synod. [99]

The Holy Synod of this Church shall meet not less frequently than every five (5) years, at a place and time appointed by a preceding Synod, or if no such time or place shall be appointed, then at the summons and call of the Primate of this Church, but, if there shall appear sufficient cause, the Primate may appoint another place or date for the meeting.

The Primate or the Holy Synod sitting may summon, convene, and convoke extraordinary meetings of the Holy Synod.

When an extraordinary Meeting of the Holy Synod called in part for consideration of amendments to the Constitution of this Church has adopted such amendments, the Primate shall call for an additional extraordinary Meeting of the Holy Synod to take place not less than two (2) years following adjournment of the adopting Synod, and such additional Synod shall vote upon re-adoption of the amendments.

§8.1.07 The Recorder of the Holy Synod and Duties.

The Primate of this Church, by and with the advice and consent of the College of Bishops of this Church, shall appoint a Recorder of the Holy Synod whose duty it shall be to record the proceedings of the Holy Synod.

Functioning under the supervision of the Secretary General of this Church, the Recorder shall make a complete record of each meeting of the Holy Synod; prepare full minutes of the proceedings thereof; preserve the Journals and Records thereof; and turn the materials over to the Secretary General for distribution and disposition.

The Recorder of the Holy Synod shall continue in Office until his successor shall be appointed.

§8.1.08 The Recorders of the Houses of Holy Synod and their Duties.

The Presiding Officer of each House of the Holy Synod shall appoint a Recorder thereof, and as needed, a Deputy Recorder or Deputy Recorders, to record the proceedings of that House, and to communicate with the other Houses of the Synod concerning its transactions and proposals for legislation and other business.

The Recorders of the Houses shall keep full minutes of the proceedings thereof; record them, with all reports, in a book provided for that purpose; convey a copy of all minutes and reports to the Recorder of the Holy Synod; render assistance to the Recorder of the Holy Synod during meetings of the Synod; when necessary, act for and on behalf of the Recorder of the Holy Synod during his absence or inability to attend to his duties; preserve the Journals and Records of that House; deliver them to the Registrar of this Church as provided in Section 7.4.03; and perform such other duties as may be directed by that House or its Presiding Officer.

The Recorders and their Deputies shall continue in Office until their successors shall be appointed.

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[99] Amended by the XXIInd Synod of the Original Province (Atlanta, GA, 2017) to provide that the Primate may call extraordinary meetings of the Holy Synod in order to enable amendments to the Constitution of this Church to be re-adopted.

CANON 8.2. PROVINCIAL SYNODS.

§8.2.01 The Council of Bishops in the Provincial Synods.

(a) *Membership of the Council of Bishops*.

Every Bishop subject to the authority of this Church shall have a seat, voice, and vote in the Council of Bishops of the Provincial Synod of which he shall be a member.

(b) *President of the Council of Bishops in the Provincial Synods*.

The Metropolitan of each Province shall be the President of the Council of Bishops in the Provincial Synod. The Bishop Ordinary next most senior in respect of his consecration shall preside in the absence of the Metropolitan or in case of his inability to act as President.

(c) *Excuse from Attendance*.

For good cause, any Bishop of this Church may request from the Metropolitan of his Province excuse from attendance at any Synod thereof, and if leave be granted, the excused Bishop shall not be counted for purposes of quorum in that Provincial Synod. If any Bishop is providentially hindered from making the request on his own behalf, the Council of Advice of his Jurisdiction may make it for him.[100]

§8.2.02 Senate of the Clergy in Provincial Synods.[101]

(a) *Membership of the Senate of the Clergy*.

(i) The Clergy in every Ordinary Diocese of a Province of this Church shall be entitled to representation in the Senate of the Clergy of ~~a~~ that Provincial Synod by eleven (11) Priests or Deacons canonically resident therein. Each Diocese shall prescribe by Canon the manner in which such Clerical Delegates shall be chosen and the length of their term of tenure of Office.

(ii) The Clergy in every Missionary Diocese of a Province of this Church shall be entitled to representation in the Senate of the Clergy of that Provincial Synod by three (3) Priests or Deacons canonically resident therein. Each Missionary Diocese shall prescribe by Canon the manner in which such Clerical Delegates shall be chosen and the length of their term of tenure of Office.

(iii) The Clergy in every Missionary District of a Province of this Church shall be entitled to representation in the Senate of the Clergy of that

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[100] Amended by the Xth Synod of the Original Province (Kansas City, MO, 1993) to add Sub-section (c).

[101] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to make specific in §§8.2.02 and 8.2.03 the Provincial Synod delegate entitlement of various Jurisdictions, and to provide by reference for the Offices of Prolocutor and Speaker and their Deputies.

Provincial Synod by three (3) Priests or Deacons canonically resident therein. Each Missionary District shall prescribe by Canon the manner in which such Clerical Delegates shall be chosen and the length of their term of tenure of Office.

(iv) The Clergy in every Jurisdiction of The Armed Forces or other Military Jurisdiction and any Clergy in the Patrimony of the Metropolitan or other Jurisdiction of a Province of this Church shall be entitled to representation in the Senate of the Clergy of that Provincial Synod by three (3) Priests or Deacons canonically resident therein. Each Province shall prescribe by Canon, or otherwise by Resolution of the College of Bishops of the Province, the manner in which the Clerical Delegates shall be chosen and the length of their term of tenure of Office.

(b) *Prolocutor of the Senate of Clergy.*

The provisions of Section 8.1.02(b) regarding the Prolocutor and Deputy Prolocutor of the Senate of the Clergy in each Holy Synod of this Church shall determine, *mutatis mutandis,* the election, duties, terms of tenure of office, accession to office, continuation and succession in office, and status in office of the Prolocutor and Deputy Prolocutor of the Senate of the Clergy in each Provincial Synod of this Church.

In case of resignation, death, absence, or inability of the Prolocutor, the Deputy Prolocutor shall perform the duties of the Prolocutor, until a new Prolocutor is elected.

§8.2.03 Assembly of the Laity in Provincial Synods.[92]

(a) *Membership of the Assembly of the Laity.*

(i) The Laity in each Ordinary Diocese of a Province of this Church shall be entitled to representation in the Assembly of the Laity of that Provincial Synod by eleven (11) Lay Communicants canonically resident therein. Each Diocese shall prescribe by Canon the manner in which such Lay Delegates shall be chosen and of the length of their term of tenure of Office.

(ii) The Laity in every Missionary Diocese of a Province of this Church shall be entitled to representation in the Assembly of the Laity of that Provincial Synod by five (5) Lay Communicants canonically resident therein. Each Missionary Diocese shall prescribe by Canon the manner in which such Lay Delegates shall be chosen and the length of their term of tenure of Office.

(iii) The Laity in every Missionary District of a Province of this Church shall be entitled to representation in the Assembly of the Laity of that Provincial Synod by five (5) Lay Communicants canonically resident therein. Each Province shall prescribe by Canon the manner in which such Lay Delegates shall be chosen and the length of their term of tenure of Office.

(iv) The Laity in every Jurisdiction of The Armed Forces or other Military Jurisdiction and any Laity in the Patrimony of the Metropolitan or other Jurisdiction of a Province of this Church shall be entitled to representation in the Assembly of the Laity of the Holy Synod by five (5) Lay Communicants being canonically within the responsibility of the Jurisdiction concerned. Each Province shall prescribe by Canon, or otherwise by Resolution of the College of Bishops of the Province, the manner in which such Lay Delegates shall be chosen and the length of their term of tenure of Office.

(b) *Speaker of the Assembly of the Laity.*

The provisions of Section 8.1.03(b) regarding the Speaker and Deputy Speaker of the Assembly of the Laity in each Holy Synod of this Church shall determine, *mutatis mutandis,* the election, duties, terms of tenure of office, accession to office, continuation and succession in office, and status in office of the Speaker and Deputy Speaker of the Assembly of the Laity in each Provincial Synod of this Church.

In case of resignation, death, absence, or inability of the Speaker, the Deputy Speaker shall perform the duties of the Speaker until a new Speaker is elected.

§8.2.04 [Reserved] [102]

§8.2.05 Membership and Quora of the Houses of Synod; Adjournments .

(a) The number of members of the Council of Bishops of a Provincial Synod shall be the number of Bishops of that Province who have not been excused from attendance under Sub-section 8.2.01(c).

(b) The number of members of each of the Clerical and Lay Houses of a Provincial Synod shall consist of the total of the numbers of Delegates to that House that have been notified as expected to be in attendance by the Secretary or Recorder of each Jurisdiction of that Province to the Provincial Secretary or Recorder not fewer than sixty (60) days prior to the assembling of the Synod. When the Secretary of a Jurisdiction has timely notified the Provincial Secretary of a number of Delegates that is fewer than the number to which that Jurisdiction is entitled, but has available at the time the Synod assembles additional Delegates, the additional Delegates, up to the number to which their Jurisdiction is entitled, may be admitted as Synod members by that Jurisdiction's Episcopal Authority or by the Metropolitan.

(c) A quorum of each House of a Provincial Synod shall consist of no less than fifty percent (50%) of the whole membership thereof, as defined in Sub-section 8.2.05(b).

[102] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to transfer the content to §§8.2.02(a)(ii-iv) and 8.2.03(a)(ii-iv).

(d) No House of a Provincial Synod, without the consent of the other Houses of the Synod and of the President thereof, shall adjourn or recess for more than four (4) hours or assemble in any place other than that in which the Synod is sitting.

(e) For good cause, any Jurisdiction of this Church may request leave of absence from the Metropolitan, and if leave be granted, that Jurisdiction shall not be counted for purposes of quorum in that Provincial Synod.[103]

§8.2.06 Frequency, Time, and Place of Meeting of Provincial Synods.

The Provincial Synods of this Church shall meet not less frequently than bi-annually, at a place and time appointed by a preceding Synod, or if no such time or place shall be appointed, then at the summons and call of the Metropolitan of that Province; but, if there shall appear sufficient cause, the Metropolitan of a Province may appoint another place or date for the meeting of its Synod. The Metropolitan of a Province or its Synod in session may convene and convoke extraordinary meetings of that Synod.

§8.2.07 The Recorder of a Provincial Synod and Duties.

The Metropolitan of each Province of this Church, by and with the advice and consent of his College of Bishops, shall appoint a Recorder of the Provincial Synod whose duty it shall be to record the proceedings of the Provincial Synod.

Functioning under the supervision of the Secretary of that Province, the Recorder shall make a complete record of each meeting of the Synod of that Province; prepare full minutes of the proceedings thereof; preserve the Journals and Records thereof; and turn the materials over to the Provincial Secretary for distribution and disposition.

The Recorder shall continue in Office until his successor shall be appointed.

§8.2.08 The Recorders of the Houses of a Provincial Synod and Duties.

The Presiding Officer of each House of each Provincial Synod shall appoint a Recorder thereof, and as needed, a Deputy Recorder or Deputy Recorders, to record the proceedings of that House, and to communicate with the other Houses of that Synod concerning its transactions and proposals for legislation and other business.

The Recorders of the Houses shall keep full minutes of the proceedings thereof; record them, with all reports, in a book provided for that purposes; convey a copy of all minutes and reports to the Recorder of the Provincial Synod; render assistance to the Recorder of that Provincial Synod during meetings of the Synod; when necessary, act for and on the behalf of the Recorder of that Provincial Synod during his absence or inability to attend to his duties; preserve the Journals and Records of that House; deliver them to the Registrar of that Province as provided in Section 7.8.03; and perform such other duties as may be directed by that House or its presiding Officer.

The Recorders and their Deputies shall continue in Office until their respective successors shall be appointed.

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[103] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add Sub-sections (a) and (b), and to add clarifying words to Sub-sections (c) and (d).

CANON 8.3. FAILURE TO TITHE OR SUBMIT REPORTS BY ANY DIOCESE OR OTHER JURISDICTION.

If any Diocese or other Jurisdiction of this Church does not for two (2) successive years regularly tithe to that Province, as provided in Section 1 of Article VII of the Constitution of this Church and set forth in Canon 21.3 of these Canons, of which the Diocese or other Jurisdiction is a constituent Jurisdiction, or if any Diocese or Jurisdiction fails to submit the reports required as set forth in Section 6.16.02 of these Canons, that Diocese or Jurisdiction shall have the number of its Delegates in both the Senate of Clergy and the Assembly of Laity reduced respectively to two (2) in each House of that Provincial Synod, save by leave of the Metropolitan with the advice and consent of that Provincial Synod.

Such reduction and representation in the number of Delegates shall remain in force and effect until such time as that which is lacking or wanting shall have been supplied.

CANON 8.4. DUE NOTICE REQUIRED OF AMENDMENT TO THE CONSTITUTION OF THIS CHURCH OR THESE CANONS.

Any and all Amendments proposed to the Constitution of this Church or these Canons, in order to be considered by any Meeting of the Holy Synod, or, until there be such, of the Synod of the Original Province of this Church, shall be sent in writing to the Primate of this Church or to the Metropolitan of the Original Province and to all the members of the Council of Bishops, the Prolocutor of the Senate of Clergy, and the Speaker of the Assembly of Laity, respectively, of that Synod at least forty-five (45) days prior to any Meeting of that Synod at which the Amendment is to be introduced for consideration, unless, and only except, that Meeting of the Synod permits such to be proposed and introduced for consideration by no fewer than a three-fourths (3/4) majority vote of the canonical quorum of each House thereof present and sitting, and upon the consent of the Primate or the Metropolitan of the Original Province of this Church, as the case may be.[104]

CANON 8.5. STANDING RULES FOR THE ORDER AND PROCEDURE OF THE HOLY SYNOD AND THE PROVINCIAL SYNODS.

The Holy Synod and the Provincial Synods may adopt, by Statute of the Church or of the Province respectively, Standing Rules for their order and procedure. Pending

[104] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to increase the period of notice from 30 to 45 days, and to add specific references to the Prolocutor and Speaker.

such adoption, the order and procedure of the Holy Synod and the Provincial Synods shall be guided by *Robert's Rules of Order Revised,* or a generally available manual of procedure of equal standing.[105]

CANON 8.6. STANDING RULES FOR THE PRESERVATION OF ORDER IN THE HOLY SYNOD AND THE PROVINCIAL SYNODS.

[Reserved]

[105] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add Standing Rules for Order and Procedure.

TITLE IX – OF ECCLESIASTICAL COURTS

CANON 9.1. DIOCESAN COURT OF THE ORDINARY OR THE CONSISTORY COURT.

§9.1.01 In each Diocese or other Jurisdiction of this Church.

In each Diocese or other Jurisdiction of this Church, there shall be a Diocesan Court of the Ordinary or Consistory Court, through which the judicial authority of the Ordinary or Episcopal Authority shall be exercised, and the membership of which shall be determined by Diocesan Canon or Canons of other Jurisdiction, consistent with the principles of the Constitution of this Church.

§9.1.02 Jurisdiction of the Court.

The jurisdiction of the Diocesan Court of the Ordinary or the Consistory Court shall be as specified in the Constitution of this Church and all Canons thereof and by the Canons of that Diocese or other Jurisdiction.

§9.1.03 President of the Court.

When a Bishop of a Diocese or other Jurisdiction does not preside in person in his Consistory Court, he shall appoint an *Officialis* or Official Principal as his deputy to preside in and on his behalf, and for and in his place and stead.

Appeals will lie in such instance not to the Ordinary, but directly to the Court of the Metropolitan or the Provincial Court.

Such provision is not meant to be construed as a denial of the inalienable custom that any Diocesan or Ordinary of any other Jurisdiction, may reserve unto himself the ancient right of presiding in his own person in his Diocesan or Consistory Court as Judge on any occasion not in conflict with the Constitution and these Canons.

In such case, the Bishop may choose to associate with himself his *Officialis* or Official Principal to act as his Assessor.

§9.1.04 Church Advocate.

Each Bishop Ordinary of a Diocese or other Jurisdiction of this Church may appoint a Church Advocate to conduct prosecutions, or failing appointment by the Ordinary, the Court may make the appointment as needed.

CANON 9.2. COURT OF THE METROPOLITAN OR THE PROVINCIAL COURT.

§9.2.01 Members of the Court.

Each Provincial Court shall consist of the Metropolitan, or his deputy, who shall be its President and shall preside over every session of the Court, and eight (8) other members, chosen as follows:

(a) two (2) of whom shall be Bishops chosen by the Council of Bishops of that Provincial Synod;

(b) three (3) of whom shall be Clergymen chosen by the Senate of Clergy of that Provincial Synod; and

(c) three (3) of whom shall be lay persons chosen by the Assembly of Laity of that Provincial Synod.

Not fewer than two (2) members of the Court shall be learned in the law.

§9.2.02 Terms of Members.

(a) *Appointment.*

At each regular Provincial Synod one (1) Bishop shall be named to serve on the Court until the adjournment of the second (2nd) regular Provincial Synod following, and one (1) Clerical member and one (1) Lay member shall be named to serve on the Court until the adjournment of the third (3rd) regular Provincial Synod following.[106]

Those named to the Court shall be chosen as set forth in Section 9.2.01.

(b) *Vacancies.*

Vacancies occurring during the term of any member of the Court may be filled by the Metropolitan, with the advice and consent of his College of Bishops, from among the order wherein such vacancy occurred, to serve until the adjournment of the next regular meeting of the Provincial Synod, at which meeting a member of that order shall be chosen by the appropriate House thereof to serve out the remainder of the unexpired term, if any.

[(c) [107]]

§9.2.03 Jurisdiction of the Court.

The jurisdiction of each Court of the Metropolitan or Provincial Court shall be as specified in the Constitution and Canons of this Church and by the Constitution and Canons of that Province.

§9.2.04 President of the Court.

When the Metropolitan does not preside in person in his Provincial Court, he shall appoint an *Officialis* or Official Principal as his deputy to preside in and on his behalf, and for and in his place and stead. Appeals will lie in such instance not to the Metropolitan, but to the High Court of the Holy Synod. Such an appointment is not meant to be construed as a denial of the custom that the Metropolitan may reserve to himself the ancient right of presiding in his Provincial Court in person as judge on any occasion not in conflict with the Constitution and these Canons.

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106 Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to clarify the provision.

107 This provision dealt only with actions taken by the IVth Synod of the Original Province (Kansas City, MO, 1982), and is now redundant.

In such case, the Metropolitan may choose to associate with himself his *Officialis* or Official Principal to act as his Assessor.

§9.2.05 Appeals.

(a) *Reception of Appeals*.

Each Metropolitan of this Church has within his Province the solemn duty and obligation of receiving appeals in his Provincial Court or the Court of the Metropolitan from every Diocesan Court or Consistory Court or tribunal or the sentences, judgements, decrees, or decisions of the Ordinaries of that Province having jurisdiction therein.

(b) *Conflict in the Hearing of Appeals*.

Whenever an appeal is from the Metropolitan's own Diocesan Court, or from him as Ordinary, he shall appoint, by right, the next Bishop Ordinary senior by consecration in that Province, able and willing, to preside in his stead in that matter. If an appeal is from the Diocesan Court or from the Consistory Court of any Ordinary, or from any Diocesan or Bishop Ordinary on the Provincial Court or Court of the Metropolitan, the Court shall choose another Bishop of that Province, able and willing, so to sit in his stead in that matter.

(c) *Suspensive Effect and Devolutive Effect in Appeals*.

When an appeal shall have been commenced from any sentence, decision, judgement, or decree of any Diocesan or Consistory Court, tribunal, or Ordinary of that Province by the giving and serving of notice of appeal as may be provided by applicable Canon or by Official Rule or Regulation of the subject appellate Court or tribunal, the Bishop Ordinary or duly appointed Official thereof or Court or tribunal from whose sentence, decision, judgement, or decree the appeal is taken, shall not proceed to enforcement thereof, as the appeal is under suspensive effect until further order of the appellate Court or tribunal; provided however, that no person holding Office or in Holy Orders who has been adjudged to be inhibited, suspended, deprived, deposed, removed, or degraded shall be entitled to exercise the powers or authority of his Order or Ministerial or other Office affected by such sentence, decision, judgement, or decree during the pendency of the appeal; and further provided that no appeal under devolutive effect from a mandatory or prohibitory direction of the Bishop or duly appointed Official thereof, having Ordinary jurisdiction over the person, place, or thing so mandated or prohibited shall stay such direction or excuse non-compliance therewith, except it seem good to the Metropolitan of that Province.

§9.2.06 Church Advocate.

The Metropolitan may appoint a Church Advocate to conduct prosecutions in his Provincial Court, or Court of the Metropolitan, or failing appointment by that Metropolitan, that Provincial Court or Court of the Metropolitan may make the appointment as needed.

CANON 9.3. TRIAL OF BISHOPS.

Each Court of the Metropolitan or Provincial Court of this Church has the jurisdiction and competency to try any Bishop of that Province subject to the authority of this Church as follows:

§9.3.01 Membership of the Court.

Whenever there shall be a trial of any Bishop of that Province, the Provincial Court or Court of the Metropolitan shall appoint at least a majority of the College of Bishops of that Province, not being the accused or accusers, to sit as co-judges with the Court.

§9.3.02 Presiding at Trials of Bishops.

In every trial of a Bishop, the Metropolitan of that Province shall, in his own Person Metropolitical, sit as the president of the Court himself with his Official Principal. In cases wherein the Metropolitan himself be the accused or accuser, the next Bishop Ordinary senior by consecration in that Province, himself not the accused or an accuser, shall sit as the President with his Official Principal for that matter.

§9.3.03 Jurisdiction.

The Court shall be competent to receive accusations against and to censure, suspend, deprive, or depose the Metropolitan of that Province, the Bishop Ordinary of every Diocese or other Jurisdiction, every Bishop Co-adjutor, Bishop Suffragan, Auxiliary Bishop or Assistant Bishop, and every other Bishop or Archbishop exercising his ministry in that Province, or to acquit any of the Bishops of any such accusations.

§9.3.04 Offences.

No proceedings shall be taken against any Metropolitan, Archbishop, or Bishop of a Province in the Provincial Court, or Court of the Metropolitan, except if he be charged with:

(a) any crime or immorality;

(b) advisedly holding and teaching or maintaining heretical or false doctrines or any doctrine contrary to those held by this Church, either publicly or privately, or by preaching, writing, printing or circulating articles or books containing such doctrines;

(c) wilful violation of The Solemn Declaration or of The Preamble or of any other part of the Constitution of this Church or of the Canons of this Church, including any act specified in Section 10.1.01 that is applicable to him under the facts of the case and which is not inconsistent with the other provisions of Canon 9.9:

(i) in the case of a defendant who is a Metropolitan, the reference to "Bishop Ordinary" in Sub-sections 10.1.01(f) and (m) shall mean the Primate; and

(ii) in the case of a defendant who is a Bishop Ordinary, the reference to "Bishop Ordinary" in Sub-sections 10.1.01(f) and (m) shall mean his Metropolitan;[108]

(d) wilful violation of the Constitution or Canons of any Province that he is obliged to obey or conform to;[109]

(e) wilful violation of the Constitution or Canons of any Jurisdiction that he is obliged to obey or conform to;[110]

(f) wilful violation of the Worship of this Church;

(g) wilful violation of the Discipline of this Church or the wilful failure to maintain Ecclesiastical Discipline;

(h) wilful, persistent, or continuous neglect of duty; or

(i) any of the foregoing.

§9.3.05 Charges to be in Writing.

No charge against any Bishop of this Church shall be made except in writing, and it shall be signed by any Bishop of that Province or the lesser of the majority or five (5) Priest members of his Diocesan Synod or Synod of other Jurisdiction and five (5) lay Communicants in good standing of that Diocese or other Jurisdiction of the Metropolitan, Archbishop, or Bishop.

§9.3.06 Judgement to be in Writing.

The sentence, decree, judgement, or decision of the Court on all charges shall be deliberated in private and endorsed in writing by at least a majority of members of the Court sitting. The President of the Court shall declare the sentence, decree, judgement, or decision of the Court on each charge as being either unanimous or by a majority.

CANON 9.4. HIGH COURT OF THE HOLY SYNOD.

§9.4.01 Membership of the Court.

The High Court of the Holy Synod shall consist of the Primate of this Church, the Metropolitans, and no fewer than thirteen (13) other members, chosen as follows:

(a) three (3) of whom shall be other Bishops of this Church chosen by the Council of Bishops of the Holy Synod;

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[108] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add the last phrase of paragraph (c) and sub-paragraphs (i) and (ii).

[109] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add clarifying words.

[110] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add clarifying words.

(b) five (5) of whom shall be Clergymen chosen by the Senate of the Clergy of the Holy Synod; and

(c) five (5) of whom shall be Lay Assessors chosen by the Assembly of the Laity of the Holy Synod.

The Lay Assessors shall be Communicants of this Church in good standing and shall be learned or experienced in the Civil Law or in Ecclesiastical Law, or both.

The terms of tenure of Members of High Court of the Holy Synod shall be as determined by Canon of the Holy Synod.

§9.4.02 Primate to be President.

The duty of presiding in the High Court of the Holy Synod shall belong in the first place to the Primate, who shall be its President; next, to the Metropolitans in the order of seniority; and next, to such Bishop as may be elected President by the Bishops sitting on the Court.

§9.4.03 Jurisdiction of the Court.

The jurisdiction of the High Court of the Holy Synod shall be as specified in the Constitution and Canons of this Church.

§9.4.04 Judicial Review.

The High Court of the Holy Synod of this Church shall, at the request of any Diocesan Synod or Synod of any other Jurisdiction, or of any Provincial Synod, or the College of Bishops of any Province, or the College of Bishops of this Church, or of the Holy Synod or of any House thereof, have authority to determine whether any Canon or Act passed by the Holy Synod, or by the Synod of any Province, or by the Synod of any Diocese or other Jurisdiction is constitutional or *ultra vires*.

CANON 9.5. RULES OF PROCEDURE.

Each Court of this Church may, from time to time, make such Official Rules or Regulations as to that Court may seem expedient for regulating the practice and procedure thereof, and every matter deemed expedient for preventing expense and delay, and for securing the ends of justice; and each Court may, from time to time, suspend, repeal, vary or revive any rules and regulations, but no order made by that Court shall have the effect of altering any matter defined by the Constitution of this Church or by Canons enacted pursuant thereto. Copies of the current Official Rules or Regulations shall be made available to all persons summoned before the Court.

CANON 9.6. POWERS TO COMPEL ATTENDANCE.

Each Court of this Church shall enjoy all powers for compelling the attendance of witnesses and for the gathering of evidence. Specifically, any witness or person charged, who shall have been thrice canonically summoned in writing to appear before any Court of this Church, shall be liable to the fullest ecclesiastical sanctions for contumacy if, without just excuse, he shall fail to appear.

CANON 9.7. APPARITORS OR SUMMONERS.

Each presiding judge of a Court of this Church shall appoint an Apparitor or Summoner for that Court, whose duty shall be to keep order in such Court, and to serve, or see to the serving of, the notices and summonses of the Court upon the persons concerned.

CANON 9.8. RIGHTS OF THE ACCUSED.

Any person against whom charges are preferred in an adjudicative proceeding of this Church shall be given:

(a) Due and prompt written notice and citation or *Citatio Rei* of the charges preferred and under which provisions of the Laws Ecclesiastical the offences are held to have occurred;

(b) Reasonable notice prior to the institution of formal proceedings, granting time to any accused for the answering of the charge, and for the summoning of witnesses and the gathering of evidence;

(c) The right that no charge shall be considered as substantiated or proven except by good and sufficient evidence or by no fewer than two (2) sworn witnesses known as Promoters;[111]

(d) The right to counsel or expert advice of one knowledgeable in the Canon Law and the judicial process of the Church.

(e) The right to challenge the impartiality of one or more members of the Court or tribunal; and should such a challenge be sustained by the Court or tribunal, that Court or tribunal shall designate an impartial substitute for that particular case, cause, or matter.

(f) The right to examine and question all witnesses, depositions, testimonies and any and all relevant documents;

(g) The privilege against self-incrimination;

(h) Open proceedings, unless waived by all parties;

(i) A transcript or other record of the proceedings and any sentences, decrees, decisions, or judgements thereof, and

[111] I Timothy 5:19; Deuteronomy 19:15.

(j) The right to entry of a sentence, decree, decision, or judgement of **Not Proven** unless a sentence, decree, decision, or judgement of **Proven** is endorsed in writing by a majority of the Court sitting.

CANON 9.9. MARRIAGE TRIBUNALS.

In each Diocese or other Jurisdiction within or of this Church there shall be a Marriage Tribunal through which the Bishop Ordinary thereof may exercise his authority and jurisdiction in Causes Matrimonial. This Tribunal shall consist of any number of members having such qualifications as that Bishop Ordinary may deem suitable, who shall be appointed by the Bishop Ordinary for such term or terms of tenure of Office as shall be fixed by the Synod of that Diocese, Missionary Diocese or Missionary District, or other Jurisdiction. The Tribunal shall adopt rules governing its authority and procedures, and also rules governing review of its decisions, sentences, decrees, or judgements by that Bishop, but nothing shall be adopted as a rule of procedure or other rule which shall restrain appeals from its or the Bishop's decision or decisions, sentences, decrees, or judgements, except insofar as restrained by Sections 2, 4, and 5 of Article X of the Constitution of this Church.

TITLE X – OF DISCIPLINE

CANON 10.1. DISCIPLINE OF THE CLERGY OF THIS CHURCH.

Every Bishop, Priest or Deacon of this Church shall be and is amenable and subject to the judicial authority of the Ordinary of the Jurisdiction within which he is canonically resident or licensed for all offences committed by him against the Discipline of the Church and the laws ecclesiastical. Every Bishop Ordinary of this Church shall be and is similarly amenable and subject to the judicial authority of the Metropolitan of the Province within which he is canonically resident or licensed. Every Metropolitan of this Church shall be and is similarly amenable and subject to the judicial authority of the Primate of this Church. The Primate of this Church is similarly subject to the judicial authority of this Church, exercised through the High Court of the Holy Synod.[112]

§10.1.01 Ecclesiastical Offences.

Without restricting the generality of the foregoing Preface, the following in particular shall be ecclesiastical offences triable and punishable under the provisions of this Canon:

(a) Any criminal, immoral, dishonourable, or disorderly conduct of evil report or giving cause for scandal;

(b) Heresy or the teaching or maintaining of heretical doctrines by preaching, by teaching or writing, or by editing, publishing or circulating books, pamphlets or newspapers.

(c) Holding and teaching publicly or privately and advisedly, any doctrine contrary to that held by this Church;

(d) The wilful infringement or disregard of the Standards of Public Worship as set forth in the Constitution of this Church and these Canons;

(e) Knowingly celebrating a marriage between persons within the forbidden Degrees of Kindred and Affinity set forth in these Canons, or who are otherwise forbidden under the law of this Church to marry;[113]

(f) Contumacy or persistence in disrespectful or disobedient conduct towards the Bishop Ordinary of that Diocese or other Jurisdiction in any matter in which that Bishop is lawfully or canonically entitled to Obedience;

(g) Habitual irregularity or neglect in the performance of the Offices and other Services of the Church;

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[112] Amended by the XIIth Synod of the Original Province (Norfolk, VA, 1997) to add the word "Bishop" for clarification, and to add the last two sentences.

[113] Amended by the XIVth Synod of the Original Province (Denver, CO, 2001) to add words to the preface for clarification, and to add the words in paragraph (e) "or who are otherwise forbidden under the law of this Church to marry."

(h) Any unauthorised introduction of innovations or novelties in the performance of the Worship of this Church;

(i) Knowingly permitting unauthorised persons to officiate in the Church;

(j) Habitually absenting himself from Divine Worship;

(k) Schism or separation from the Communion of this Church;

(1) Abandoning his Charge without license or leave;

(m) Exercising any lay profession or secular occupation inconsistent with his sacred calling, except as authorised by his Ordinary or the Canons of this Church or the Provincial Synod;

(n) Any act which involves a violation of his Ordination oaths or vows, or both; or

(o) Wilful violation of the Constitution or Canons of this Church or of the Constitution or Canons of the Province or of the Diocese or other Jurisdiction within which he is canonically resident or licensed.

§10.1.02 Sentences and Penalties.

The following sentences may be pronounced and penalties imposed for offences listed under this Canon:

(a) For any of the Offences set out in clause (a) of Section 10.1.01, suspension, deprivation, deposition or degradation, according to the gravity or persistence of the offence.

(b) For any of the offences set out in clauses (b), (c), or (k) of Section 10.1.01, admonition or suspension, or for a second or the continuance of such offence, deprivation or deposition.

(c) For any of the offences set out in clause (m) of Section 10.1.01, admonition, or for a second or the continuance of such offence, suspension or deprivation.

(d) For any of the offences set out in clauses (d), (e), (h), or (o) of Section 10.1.01, admonition, or for a second offence or the continuance of such offence, suspension.

(e) For any of the offences set out in clauses (f), (g), (i), (j), (1), or (n) of Section 10.1.01, admonition or suspension.

§10.1.03 Admonition.

(a) Admonition may be in public or in private, as that Bishop Ordinary may determine.

(b) It shall be within the power of every Diocesan Bishop or Bishop Ordinary of this Church, by virtue of his Office, and not inconsistent with or contrary to these Canons, to admonish those offending for any offence mentioned in these Canons, not made a subject for enquiry, and the admonition shall be made in private; but upon any subsequent offence it shall be in public or in private at the discretion of that Diocesan Bishop or Bishop Ordinary and made in such manner as to that Diocesan Bishop or Bishop Ordinary seems proper.

§10.1.04 Suspension.

(a) When the penalty of suspension is inflicted the sentence shall specify on what terms or at what time the suspension shall cease.

(b) During his suspension, such Clergyman shall not exercise the function of his ministry, either in his own Parish or elsewhere in this Church, under pain of deprivation.

(c) During suspension the Diocesan Bishop or Bishop Ordinary may deprive the suspended Clergyman of the whole or part of the stipend, income or emoluments of his Congregation, Parish, or Mission and may appoint another Clergyman in the place of the suspended Clergyman and may apply the whole or a part of the stipend, income, or emoluments to the payment of the substitute.

§10.1.05 Offences by Clergy Canonically Resident.

If any Clergyman of this Church has committed, or on reasonable grounds is believed to have been guilty of, any of the foregoing ecclesiastical offences, the Ordinary within whose Diocese or other Jurisdiction the offence is alleged to have taken place or within which the Clergyman is canonically resident, on the written application of at least two (2) unrelated accusers of demonstrable reliability, commonly called Promoters,[114] who should be Communicants of this Church, or upon his own motion, may summon that Clergyman to appear before him in private; and, upon confession of the offence alleged, may give such counsel as may be proper and, if the accused be canonically resident within the Diocese or other Jurisdiction of the Ordinary, that Ordinary may pronounce such sentence as may be proper. Also:

(a) If that Bishop should consider the matter to be of such a character or magnitude as to require it to be placed on record, in that case the accusation shall be reduced to a definite form; there shall be added the confession signed by the accused party, and the same, with the sentence pronounced, shall be recorded in the records of the Diocesan Court of the Ordinary or Consistory Court; or

(b) If the accused party shall not admit or confess the offence alleged, and the Bishop be of the opinion that there is probable cause for further enquiry, the Bishop shall forward the written accusation signed by the Promoters to his Diocesan Court of the Ordinary or Consistory Court for presentment and trial in the manner provided for by Diocesan Canon or Canons of that other Jurisdiction.

The charge shall be prosecuted by the Church Advocate.[115]

§10.1.06 Offences by Clergy not Canonically Resident.

If the Bishop Ordinary before whom such offence is confessed in Section 10.1.05 be not the Ordinary of the Diocese or other Jurisdiction in which the accused is

[114] I Timothy 5:19; Deuteronomy 19:15.

[115] See §9.2.06, *supra.*

canonically resident, then that Bishop shall forward written notice of the charge and the confession to the Ordinary of the Diocese or other Jurisdiction wherein the accused is canonically resident for proper disposition in accordance with the Canons of this Church. Also,

(a) If the Bishop of the jurisdiction wherein the offence is alleged should consider the matter to be of such a character or magnitude as to require it to be placed on record, the accusation shall be reduced to a definite form and a certified copy of which, together with a certified copy of the confession signed by the accused party, shall be filed and entered in the records of his own Diocesan Court or Consistory Court; or

(b) If the accused party shall not admit or confess the offence alleged, and the Bishop of the Jurisdiction wherein the offence is alleged to have occurred be of the opinion that there is probable cause for further enquiry, that Bishop shall forward the written accusation signed by the Promoters in Section 10.1.02 to the Ordinary of the Diocese or other Jurisdiction within which the accused is canonically resident. In which case the latter Bishop shall elect either to authorise the forwarding Bishop to institute proceedings against the Clergyman in accordance with the Canons, rules, and regulations governing discipline in respect of the offence alleged in the Court of the forwarding jurisdiction, or to refer the matter to his own Court as if the matter had arisen in his own Jurisdiction.

§10.1.07 Offences by Clergy Licensed Only.

If any Clergyman is charged as described in Section 10.1.05 in any Diocese or other Jurisdiction of this Church in which he is licensed but in which he is not canonically resident, the Ordinary of that Diocese or such other Jurisdiction may proceed, upon the consent of the Bishop Ordinary in whose jurisdiction the accused is canonically resident, as if the accused were canonically resident where he is licensed.

If such consent is withheld, the Bishop refusing such consent shall proceed without delay to trial of the charges in accordance with the Canons of his own Diocese or such other Jurisdiction.

§10.1.08 Limitation.

No presentment shall be made or conviction had for any offence, unless the offence shall have been committed within five (5) years immediately preceding the time of presentment, except that in a case of a conviction in a Court of Record exercising criminal jurisdiction, a presentment may be made at any time within one (1) year after conviction notwithstanding five (5) years may have elapsed since commission of the offence.

§10.1.09 Inhibition.

(a) If presentment shall have been made against any Clergyman, or in the case of any Clergyman convicted of any crime or misdemeanour involving immorality, or against whom a judgement has been entered in a Court of Record in a civil cause involving immorality, or in the case of the

abandonment of the Communion of this Church by a Clergyman, the Bishop in whose jurisdiction the Clergyman is canonically resident may, upon probable cause, inhibit that Clergyman from officiating in that jurisdiction until after the judgement of the Trial Court becomes final, or sentence has been pronounced.

Also,

(b) In every case in which from the nature of the offence charged it appears to the Diocesan Bishop or Bishop Ordinary that a great scandal is likely to arise from the alleged offender continuing to perform the services of the Church, while the charge is pending, the Bishop may cause a notice to be served on the offender inhibiting him from performing any service of the Church either within the Diocese or other Jurisdiction of the Bishop or elsewhere in this Church, pending investigation, or until the Bishop shall withdraw the inhibition, or until sentence has been given in the case.

(c) No Clergyman inhibited under the preceding Sub-sections of this Canon shall be deprived, during continuance of such inhibition, of any of the emoluments of his Office.

(d) The Diocesan Bishop or Bishop Ordinary may at any time revoke such inhibition.

CANON 10.2. TRIALS FOR HERESY.

§10.2.01 Options for Trial.

By the Common Law of the Church, this Church recognises that any Bishop of a Diocese or other Jurisdiction may try cases of offences against the Doctrine and Faith of the Church in his own Consistory Court, or he may choose to forward such cases by Letters of Request to the Court of the Metropolitan or the Provincial Court for trial and disposition in the first instance.

§10.2.02 Intervention by Metropolitan.

Also it is clearly recognized in this Church, by the same Common Law of the Church, that if any such Bishop be negligent or reluctant in dealing with any such offence or situation within his jurisdiction, especially wherein there is open scandal or harm to the Church or the faithful, the Metropolitan may order such a case to be tried in his own Provincial Court in the first instance, for the protection of the Church and the faithful, whether that Bishop has consented and agreed or not.

CANON 10.3. DEPRIVATION OR DEPOSITION FROM HOLY ORDER.

§10.3.01 Deprivation from Ecclesiastical Office or Benefice.

Unless otherwise provided herein, no Clergyman of this Church may be deprived of an ecclesiastical Office or benefice, or be deposed from the Sacred Ministry, except he first be properly charged and tried in the Consistory Court wherein he is canonically resident, and upon the determination by the presiding Judge, with the consent of the majority of the Court, that such is the sentence and that such sentence is appropriate to the offence tried. The Bishop of that Diocese or other Jurisdiction shall then enter the Court with his Chancellor, if there be one, and the two (2) Priests of seniority of that Diocese or other Jurisdiction; and the Bishop, after being informed by the Judge of the nature of the offence and having declared himself satisfied that it was proved, shall read aloud, sign, and affix his Seal to the sentence of deprivation from such ecclesiastical Office or benefice.

§10.3.02 Deposition from the Sacred Ministry.

In sentences of deposition from the Sacred Ministry, the Bishop of that Diocese or jurisdiction, in the presence of the witnesses, shall himself pronounce aloud and sign the sentence of deposition, affixing thereto his seal. The witnesses shall attest the document of deposition.

§10.3.03 Appeal from Sentence of Deposition.

If the sentence of deposition from the Sacred Ministry is appealed, it shall be appealed directly to the Metropolitan of that Province, who shall summon the Clergyman to appear before him in person. After which the Metropolitan shall make his own determination of the case; he shall either confirm the sentence, or assign it to his Provincial Court for further hearing, or make other adjudication.

§10.3.04 Sentence of Deprivation.

Upon a sentence of deprivation being pronounced, the connection between the Offender and his Congregation, Parish, or Mission shall be *ipso facto* severed, and all offices, income, stipends, rents, issues, profits, and emoluments, if any, which he may hold by virtue of that Office or Ministry from which he has been removed, shall wholly cease and determine.

Any Clergyman so sentenced shall be and remain so deprived until restored by the Bishop who deprived him or by his Successor in that See or other Jurisdiction, and while deprived, and until restored, shall be incapable of holding Office or performing any function in any Diocese or other Jurisdiction of this Church.

A certified copy of the sentence shall be sent to the Offender and copies thereof shall be sent to all Clergymen canonically resident within that Diocese or other Jurisdiction, and shall be read or given such publicity as the Bishop thereof may deem expedient.

§10.3.05 Sentence of Deposition.

When a sentence of deposition from the Sacred Ministry is pronounced, that sentence shall include all the consequences of deprivation, and at the same time shall

depose the Offender from any Office he may hold and from the Sacred Ministry entirely, and shall also permanently inhibit and suspend him from any exercise thereof.

Any Clergyman so sentenced shall be and remain so deposed from the Sacred Ministry and may only be restored by the Bishop who deposed him, or by his Successor in that See or other Jurisdiction, upon the grant of a specific Faculty from the Primate of this Church to so do, or, there being yet no Primate, then the Metropolitan of the Original Province of this Church.

CANON 10.4. DEGRADATION FROM HOLY ORDER.

§10.4.01 Degradation.

When any offence proven in any Court of this Church, is of such gravity that the sentence of degradation is to be pronounced upon any Clergyman canonically resident in that Diocese or other Jurisdiction, the Bishop thereof shall pronounce the sentence only with the assistance of two (2) other Bishops having jurisdiction within that Province. It shall be determined by the Court and the Bishop whether to proceed to the Solemn Ceremony of Degradation.

§10.4.02 Appeal from Sentence of Degradation.

If the sentence is appealed, it shall be appealed directly to the Metropolitan of that Province himself, who shall summon the Clergyman to appear before him in person. After which the Metropolitan shall make his own determination of the case. He shall either confirm the sentence, or assign it to his Provincial Court for further hearing, or make other adjudication.

§10.4.03 Sentence of Degradation.

When a sentence of degradation from Holy Order is pronounced, that sentence shall include not only all the consequences of deprivation and deposition from the Sacred Ministry entirely, but also at the same time shall divest the Offender of the Office and Orders conferred on him by ordination.

CANON 10.5. NOTICE OF SENTENCES OF DEPRIVATION, DEPOSITION, OR DEGRADATION.

Any Bishop of this Church pronouncing the sentence of deprivation from ecclesiastical Office or deposition from the Sacred Ministry or degradation from Holy Order as set out in Canons 10.3 and 10.4 shall send written notice thereof to all the Bishops Ordinary of this Church and to all the Metropolitans or Primates of Churches in which this Church is in formal or canonical Communion. Such notice shall also be promulgated in any Official Gazette designated by the College of Bishops.[116]

[116] Amended by the XIVth Synod of the Original Province (Denver, 2001) to add words for clarification and to add the last sentence.

CANON 10.6. OFFICIATING OF STRANGE CLERGYMEN IN A JURISDICTION.

§10.6.01 Licence Required.

No Clergyman in charge of any Congregation, Parish, or Mission of this Church, or in case of any parochial vacancy or his absence, no Churchwarden, Vestryman, or Trustee of such Congregation, Parish, or Mission shall permit any person to officiate or preach therein, without sufficient evidence of his being duly licensed or appointed by the Ordinary of that Jurisdiction.

§10.6.02 Inhibition of Unlicenced Clergy.

When a Bishop Ordinary is aware that a Clergyman not of his jurisdiction or not holding his license, is officiating or about to officiate within his jurisdiction, and when the Bishop shall have good reason to believe that doubts exist regarding that Clergyman's orthodoxy, canonical ordination, or good morals, then the Bishop may inhibit him from officiating or preaching within his Diocese or other Jurisdiction, by a writing addressed to him, and to the Clergy, Churchwardens, and Vestries thereof.

§10.6.03 Discipline of Facilitating Clergy.

Any Clergyman permitting an unlicensed or unappointed person to officiate or preach for more than one Sunday or, after receipt of the Bishop's inhibition, permitting such inhibited person to perform any clerical function in the Congregation, Parish, or Mission committed to his Charge and Cure, shall be proceeded against by the Bishop for breach of canonical obedience and other applicable provisions of these Canons.

CANON 10.7. ABANDONMENT OF THE COMMUNION OF THIS CHURCH.

§10.7.01 Certification of Abandonment.

If any Bishop, Priest, or Deacon shall abandon the Communion of this Church, either by an open renunciation of the Doctrine, Discipline, or Worship thereof, or by his *de facto* or *de jure* admission into any religious body not in formal or canonical Communion with this Church, or in any other way or manner, it shall be the duty of the Council of Advice, or other such body, of the Jurisdiction within which that Bishop, Priest, or Deacon is canonically resident, after enquiry to certify the fact to the Metropolitan of that Province in the case of a Bishop, or to the Bishop Ordinary of that Jurisdiction in the case of a Priest or Deacon.

The Certification shall be accompanied by a Statement of the facts, acts, or declarations which constitute abandonment, which Certificate and Statement shall be recorded in the records of that Diocesan Court of the Ordinary or Consistory Court and with the Recorder or Registrar of that Jurisdiction, and shall be deemed by the Metropolitan or Bishop Ordinary to be equivalent to a renunciation of the Ministry of the Church by that Bishop, Priest, or Deacon himself.

§10.7.02 Suspension, Inhibition, Notice and Service.

(a) In the case of a Priest or Deacon, the Bishop Ordinary of that Jurisdiction may then suspend that Priest or Deacon from any Office, benefice, or appointment which he may hold or inhibit him from officiating in that Jurisdiction until the deposition proceedings under this Canon have been resolved or terminated. Written Notice of the suspension or inhibition shall be given by that Bishop Ordinary, with a copy of the Certificate and Statement, to the Priest or Deacon so suspended or inhibited that unless he shall, within thirty (30) days of service thereof upon him, transmit to that Bishop Ordinary:

(i) A Statutory Declaration or a notarised Declaration that the facts alleged in the Certificate and Statement are false, or

(ii) A retraction of the acts and declarations constituting a renunciation of the Doctrine, Discipline, or Worship of this Church or leading to his *de facto* or *de jure* admission into any religious body not in formal or canonical Communion with this Church, or

he will be deposed from the exercise of his ministry.

(b) Service under this Section may be made by personal service or domiciliary service at the last known abode of the accused by a Church summoner or by any public officer authorized to make service in civil proceedings in the place of service, by registered or certified mail, by confirmed telefax transmitted to a telephone number known to be in current use by the accused clergyman, or by receipted e-mail to an Internet e-mail address known to be in current use by the accused clergyman. If service cannot be effected by one of the preceding means, then the Metropolitan or Bishop Ordinary concerned may order service to be effected by publication in a journal of general circulation in the place of the accused clergyman's last known abode or by any other method reasonably calculated to give him actual notice of the proceedings against him.[117]

§10.7.03 Deposition

If the Declaration or retraction be not made or given within thirty (30) days, it shall be the duty of the Bishop Ordinary to depose that Priest or Deacon from the exercise of the Ministry, and to pronounce aloud and record the deposition in the presence of at least two (2) Priests of that Jurisdiction. The Bishop Ordinary shall sign and affix his Seal to the pronouncement of deposition and those witnesses shall attest and sign the pronouncement. Certified copies of the Document of Deposition shall be sent to the Recorder or Registrar of that Jurisdiction, that Diocesan Court of the Ordinary or Consistory Court, and the Priest or Deacon so deposed from the exercise of the Ministry.[118]

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[117] Amended by the XIVth Synod of the Original Province (Denver, CO, 2001) to reduce the period in paragraph (a) for Declaration or retraction from six months to thirty days and to add paragraph (b).

[118] Amended by the XIVth Synod of the Original Province (Denver, CO, 2001) to reduce the period for Declaration or retraction from six months to thirty days.

§10.7.04 Notices of Deposition.; Substitute *libellus.*

Notice of any deposition under Section 10.7.03 shall be sent to all the Diocesan Bishops or Bishops Ordinary of this Church.

If the Priest or Deacon concerned shall deny or retract as provided in this Canon, that Bishop ordinary may nevertheless, if he deems proper, make enquiry into the matter upon written notice to the Priest or Deacon and if he should be of the opinion that the complaint was true and that the circumstances are such that the Priest or Deacon should be deposed from the exercise of the Ministry, it shall be the duty of that Bishop ordinary to forward all the pertinent documents, declarations, and certificates to his Diocesan Court of the Ordinary or Consistory Court. The documents so forwarded to the Court shall serve in lieu of an accusatory *libellus* and shall be deemed to constitute a presentment under the instance jurisdiction of that Court.[119]

§10.7.05 Restoration.

The Bishop Ordinary or his Successor in that See or other Jurisdiction may for reasons which he deems sufficient, terminate a deposition effected under Sections 10.7.03 and 10.7.04 and restore the Priest or Deacon to the exercise of his Ministry, and thereupon shall give written notice thereof to the Recorder or Registrar of that Jurisdiction, his Court, and all the Diocesan Bishops or Bishops Ordinary of this Church.[120]

§10.7.06 Abandonment by a Bishop.

In the case of a Bishop as set out in Section 10.7.01, the Metropolitan, with the written consent of three (3) other Bishops Ordinary of that Province, shall suspend that Bishop from the exercise of his Office and Ministry and forward to him official copies of the aforementioned Certificate and Statement by the means provided in Sub-section 10.7.02(a).

The Metropolitan shall also immediately, by the same means, give to the accused Bishop due written notice of the suspension and that unless he shall, within the time period provided in Sub-section 10.7.02(a), transmit to that Metropolitan:

(a) A Statutory Declaration or a notarised Declaration that the facts alleged in the Certificate and Statement are false, and his

(b) Demand for a trial,

he shall be liable to deposition from the exercise of his Office and Ministry.

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[119] Amended by the XIVth Synod of the Original Province (Denver, CO, 2001) to move the former Section 10.7.05 to become the second paragraph of this Section.

[120] Amended by the XVth Synod of the Original Province (New Orleans, LA, 2003) to add clarifying words.

§10.7.07 Deposition of a Bishop.

(a) If the Declaration specified in Section 10.7.06 is not made within the time period provided in Sub-section 10.7.02(a) and no trial is demanded, then the Metropolitan shall refer the matter to the Primate of this Church, who, together with his College of Bishops, shall consider the case and, with their consent, the Primate shall depose the accused Bishop from the exercise of his Office and Ministry, and pronounce and sign the deposition with his Hand and Seal in the presence of two or more Bishops Ordinary of this Church that the Bishop has been so deposed and that any See, Bishopric, or Office he held is in avoidance and canonically vacant. The witnesses shall also sign their Hands and affix their Episcopal Seals to the document.

(b) The Primate shall forward copies of the deposition to the Registrar of the Holy Synod, to the High Court of the Holy Synod, and to the deposed Bishop.

(c) Until such time as there shall be, respectively, a Primate of this Church, together with his College of Bishops, the authority and duties assigned unto the same by the provisions of this Canon shall be exercised respectively by the Metropolitan of the Original Province of this Church and his College of Bishops.

§10.7.08 Notice of Deposition of a Bishop.

Notice of any deposition effected under Section 10.7.07 shall be sent to all the Diocesan Bishops or Bishops Ordinary of this Church and to all Metropolitans or Primates of Churches in formal or canonical Communion with this Church.

§10.7.09 Certification and Declaration by Neighbouring Jurisdiction.

If members of the Council of Advice or Standing Committee of any Jurisdiction of this Church shall have joined any Bishop, Priest, or Deacon thereof in abandoning the Communion of this Church, the members of that Council or Committee remaining in the Communion of this Church or, if there be none, the Council of Advice or Standing Committee of a neighbouring Jurisdiction may make the Certification and Statement required by Section 10.7.01 directly to the Metropolitan of that Province, or if the Metropolitan thereof be the Bishop alleged to have abandoned the Communion of this Church, then directly to the Primate, or if there yet be no Primate, or if the Primate be the Bishop alleged to have abandoned the Communion of this Church, then to the Metropolitan or Bishop Ordinary next senior in the Church or Province, as the case may be.

§10.7.10 Effective Date of Amendments.

The amendments to this Canon 10 made at the XVth Provincial Synod of the Original Province of this Church shall become effective upon the their adoption and the Assent thereto of the Metropolitan and shall immediately apply to the case of any Bishop, Priest, or Deacon that is then *pendente lite*.[121]

[121] This Section was added by the XVth Synod of the Original Province (New Orleans, LA, 2003).

CANON 10.8. RELINQUISHMENT AND RENUNCIATION OF THE MINISTRY BY A PRIEST OR DEACON.

§10.8.01 Declaration of Renunciation.

If any Priest or Deacon of this Church not under presentment shall declare in writing to the Bishop Ordinary of the Jurisdiction within which he is canonically resident, or in the case that Bishop be absent, then to the Metropolitan of that Province, his renunciation of the Ministry of this Church and his desire to be removed therefrom, it shall be the duty of the Bishop Ordinary or Metropolitan to record the Declaration and request so made.

§10.8.02 Order of Proceedings.

After being satisfied that the Priest or Deacon so declaring is not amenable for any canonical offence and that his renunciation of the Ministry is not occasioned by any of the foregoing conduct or irregularity, but is voluntary and for causes assigned or known that do not affect his moral character, that Bishop Ordinary with the advice and consent of his Council of Advice, or the Metropolitan in the absence of that Bishop Ordinary, with the advice and consent of the Council of Advice of that Diocese or other Jurisdiction, may pronounce in their presence that such renunciation is accepted and that the declaring Priest or Deacon is thereby deposed and released from obligations of the Ministerial Office, and that he is deprived of all exercise of the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred on him by his Ordination. The Bishop or Metropolitan shall also declare in pronouncing and recording such action that it was for causes which do not affect the man's moral character, and shall, if requested, certify to this effect to the person so removed and deposed from the ministry.

§10.8.03 Renunciation under Liability to Presentment.

In cases of Renunciation of the Ministry where there may be a question of any preceding misconduct or irregularity, the Bishop Ordinary shall need the consent of two-thirds (2/3) of his Council of Advice to accept the Renunciation. In cases where the Bishop Ordinary be absent, the Metropolitan shall need the consent of two-thirds (2/3) of the Council of Advice of that Jurisdiction to accept the Renunciation. No Declaration of Renunciation may be accepted or acted upon while the person making the Declaration is under presentment, trial, sentence, or censure.

§10.8.04 Notice of Renunciation.

Any notice of renunciation and deposition shall be sent to all the Diocesan Bishops or Bishops Ordinary of this Church.

§10.8.05 Reinstatement.

The Bishop Ordinary or his Successor in that See or other Jurisdiction may for reasons which he deems sufficient, upon the advice and consent of his Council of Advice,

terminate such renunciation and deposition and reinstate the Priest or Deacon to the exercise of his Ministry; and the Bishop shall give notice thereof to all Diocesan Bishops and Bishops Ordinary of this Church.

CANON 10.9. RELINQUISHMENT AND RENUNCIATION OF THE MINISTRY BY A BISHOP.

§10.9.01 Declaration of Renunciation.

If any Bishop of this Church not under presentment shall declare in writing to the Metropolitan of the Province wherein he is a member and exercises his Ministry his renunciation of the Ministry and his desire to be removed therefrom, it shall be the duty of the Metropolitan to record the Declaration and request so made.

§10.9.02 Order of Proceedings.

After being satisfied that the Bishop so declaring is not amenable for any canonical offence, and that his renunciation of the Ministry is not occasioned by preceding misconduct or irregularity, but is voluntary and for causes assigned or known that do not affect his moral character, the Metropolitan, with the advice and consent of his College of Bishops, may pronounce in their presence that the renunciation is accepted and that the Bishop is thereby deposed and released from the obligations of the Ministerial Office of a Bishop and that he is deprived of all exercise of the gifts and spiritual authority as a Minister of God's Word and Sacraments conferred on him by his Ordination and Consecration. The Metropolitan shall also declare in pronouncing and recording the action that it was for causes which do not affect the man's moral character, and he shall, if desired, certify to this effect to the person so removed and deposed from that Ministry and Office.

§10.9.03 Renunciation under Liability to Presentment.

In any case of Renunciation of the Ministry by a Bishop where there may be a question of any foregoing misconduct or irregularity, the Metropolitan shall need the consent of two-thirds (2/3) of this College of Bishops to accept the renunciation. No Declaration of Renunciation may be accepted or acted upon while the Bishop making the Declaration is under presentment, trial, sentence, or censure.

§10.9.04 Notice of Renunciation.

Notice of the renunciation and deposition shall be sent to all the Diocesan Bishops and Bishops Ordinary of this Church and to all Metropolitans or Primates of Churches who are in formal or canonical Communion with the same.

CANON 10.10. DISCIPLINE OF THE LAITY .

§10.10.01 Those holding any Office or Appointment.

All members of the Laity of this Church holding any Office or Appointment therein or thereof, especially Church Wardens, Vestrymen, Trustees, Lay Readers, Deaconesses, and Synod Delegates, shall be amenable for offences against the laws ecclesiastical, and in particular, they shall be liable for presentment, trial and punishment as may be provided for Clergymen in these Canons.

§10.10.02 Repulsion from the Holy Communion.

The Rubric, attached to the Order of Holy Communion in the *Book of Common Prayer*, prescribes the manner of proceeding by the Clergyman in charge of any Congregation, Parish, or Mission of this Church toward any member of the Laity guilty of any of the offences therein mentioned, and provides for the reporting of the same to the Bishop.

If the party thus repelled shall think it proper to make a complaint in writing to the Bishop Ordinary of that Diocese or other Jurisdiction against the conduct of his Clergyman, it shall be the duty of the Bishop, unless from the insufficiency of the cause assigned by that Clergyman he think it proper to restore that Layman, to institute an enquiry into the merits of the case.

(a) If that Bishop should not think it proper of his own authority to restore the Layman complaining, he shall appoint his Diocesan Court of the Ordinary or Consistory Court to inquire into and try the case;

(b) If the Court reports to the Bishop that the repelled person ought to be restored, the Bishop shall so direct, and no Clergyman of that Diocese or other Jurisdiction shall deny him the Holy Communion;

(c) But if the Court reports otherwise, or makes no report within three months from being assigned the case in question, the repulsion shall continue in force;

(d) If any judgement of that Bishop or his Court directs a continuance of the repulsion, it shall remain subject to the conditions and provisions of the Rubric; and

(e) The Bishop may grant a re-hearing thereof.

CANON 10.11. PROMULGATION.[122]

§10.11.01 Official Gazette. The College of Bishops of each Province may from time to time designate one or more periodical publications to contain the Official Gazette of that Province.

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[122] Added by the XIVth Synod of the Original Province (Denver, CO, 2001). Amended by the XXIst Synod of the Original Province (Athens, GA, 2015) to assign responsibility for submission of information and to specify the contents of Official Gazettes.
(***N.B.*** The College of Bishops of the Original Province has designated *The TRINITARIAN* as the Official Gazette of that Province.)

§10.11.02 Published Information. Pursuant to this Canon, the portion of a publication containing an Official Gazette shall publish:

(a) dates and places of forthcoming Synods of the Province and Synods or Convocations of a Jurisdiction ~~of Synods~~ within the Province,
(b) Acts of Synods or Convocations as reported to the publication,
(c) dates and places of all Ordinations of Deacons and Priests and Consecrations of Bishops of a Jurisdiction within the Province,
(d) disciplinary actions when reported to the publication by the Metropolitan or the relevant Bishop after approval by the Metropolitan,
(e) notices of death of any clergy of a Jurisdiction within the Province,
(f) appointments of Vicars General, Bishop Visitors and Episcopal Prelates,
(g) actions announced by the College of Bishops, and
(h) such matters of policy as the College may direct.

It is the responsibility of the Metropolitan, Bishops Ordinary, Vicars General, Bishop Visitors and Episcopal Prelates to ensure that means are established to require the reporting of the information in items **(a)** through **(f)** from their Jurisdictions to the publication(s) containing the Official Gazette.

§10.11.03 Disciplinary Sentence. Where any disciplinary sentence is required by the Constitution or Canons of the Church to be notified in writing to any person or office, and such notice cannot reasonably be given by other means, promulgation of the notice in the Official Gazette(s) of the Province shall satisfy such requirement.

TITLE XI – OF MINISTERS, THEIR ORDINATION, FUNCTION, AND CHARGE

CANON 11.1. HOLY ORDERS IN THE ANGLICAN CATHOLIC CHURCH.

§11.1.01 Valid Ministers.

The Anglican Catholic Church holds and teaches that from. the Apostles' times there have been these sacred Orders of Ministers in Christ's Church: Bishops, Priests, and Deacons; and no man shall be accounted or taken to be a lawful Bishop, Priest, or Deacon in the Anglican Catholic Church, or suffered to execute any of the said Offices or Functions, except he be called, tried, examined, and admitted thereunto according to the Ordinal, or has had formerly Episcopal Consecration or Ordination in some Church whose Orders are recognised and accepted as undoubtedly valid by this Church.

§11.1.02 Indelible Character of Holy Orders.

No person who has been admitted to the Order of Bishop, Priest, or Deacon can ever be divested of the character of his Order, but a Minister may either by legal process voluntarily relinquish the exercise of his Orders and use himself as a layman, or may by canonical and due judicial process be deprived of the exercise of his Orders or be deposed or degraded finally therefrom.

§11.1.03 Canonical Obedience.

Accordance to the ancient law and usage of the Church, the inferior Clergy who have received authority to minister in any Diocese or other Jurisdiction owe Canonical Obedience in all things lawful and honest to the Bishop of the same, and the Bishops of their several Dioceses or other Jurisdictions owe due reverence and obedience to the Metropolitan of that Province.

CANON 11.2. CONSECRATION OF BISHOPS.

§11.2.01 Consecrators.

(a) No man shall be ordained and consecrated to the Office of Bishop in this Church by fewer than three (3) Bishops present together and joining in the act of consecration, each of whom truly shall be a lawful and proper consecrator, unless for grave cause the Metropolitan or the College of Bishops of that Province shall otherwise direct.

(b) The Metropolitan of that Province or a Bishop appointed to act on his behalf and stead is by right the lawful and proper Chief Consecrator at such ordination and consecration. Such Bishop shall also be the Chief Celebrant at

the Service of Holy Communion in which such ordination and consecration shall take place.[123]

§11.2.02 Day of Consecration.

The ordination and consecration of a Bishop in this Church shall take place upon some Sunday or Holy Day, unless the Metropolitan, for urgent and weighty cause, shall appoint some other day.

§11.2.03 Quality of Such as are to be Ordained and Consecrated Bishop.

No man shall be ordained and consecrated Bishop in this Church until he shall have attained the age of forty (40) years. Also, he shall not be so ordained and consecrated unless he shall be free of, and shall not have come under, the following impediments:

(a) that he is deficient in learning, or

(b) that he has either directly or indirectly secured or attempted to secure the Office of Bishop by improper means, or

(c) that he is guilty of any other crime or immorality, or

(d) that he teaches or holds, or has within five (5) years previous to the date of his nomination to such Office taught or held, anything contrary to the Doctrine, Discipline, or Worship of this Church, or

(e) any of them, as the case may be.

Furthermore, no man shall be so ordained and consecrated unless he shall meet the Apostolic and the Scriptural standards set forth for such Office of Bishop and unless he shall have met and complied with all the criteria and standards set forth in the Constitutions and Canons of this Church for such Office.

CANON 11.3. PROTOCOLS OF ELECTION OF A BISHOP.

§11.3.01 Prerequisites of the Canonical Provision for Consecration .

The Metropolitan of a Province of this Church may not take order for the ordination and consecration of a Bishop-elect of that Province until such candidate shall have received:

(a) the written consent of three-fourths (3/4) of the Bishops Ordinary of that Province with the Written consents of their respective Councils of Advice in cases of candidates not certified for the Episcopate by that Provincial Synod; and

(b) the necessary written canonical confirmation and ratification of his election by the Metropolitan of that Province; [124] and that the Metropolitan has

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[123] Rubric pages 549, 559, *The Book of Common Prayer*, American Edition, 1928; pages 657, 667, *The Book of Common Prayer*, Canada, 1962; Canon 1003, *Codex Juris Canonici*, 1917.

[124] **SEE** Canon 6.3, §6.3.03.

received the necessary certification of his election and required written consents thereto, which such Metropolitan shall cause to be read out publicly at the appointed time in the service of consecration and elevation of the Bishop-Elect to the Episcopate.

§11.3.02 Exhibiting of Letters or Orders.

The Bishop-Elect must exhibit his Certificates or Letters of Orders of both his Orders of Deacon and of Priest to such Metropolitan, which shall be presented at his ordination and consecration to the Office of Bishop and there also be read out publicly.

§11.3.03 Ordinations necessarily to be supplied.

If the Bishop-elect is not in Holy Orders or is not in the Order of Priest, he shall be admitted and duly ordained to those Holy Orders applicable in such instance by the Metropolitan of that Province, or a Bishop appointed to act on his behalf, and in his place and stead, in accordance with these Canons.

§11.3.04 The Profession of Faith or *Professio Fidei* by the Bishop-elect.

Every Bishop-elect in this Church shall, prior to his consecration, be required to write out in his own hand, and in his own words, a Profession of Faith in accordance with the Faith of this Church, and which must be approved in writing by his intended consecrators, and is to be read out in public at the time of his consecration in order that the faithful both may have a testimony and bear witness to his solemn undertaking. This Profession of Faith shall then be kept on file in the archives of that Province.

CANON 11.4. ORDINATION OF PRIESTS AND DEACONS.

§11.4.01 Times of Ordination.

Ordination to the Office of Priest or Deacon shall take place upon the Sundays immediately following the Ember Weeks,[125] or upon Michaelmas Day or St. Thomas' Day, unless the Bishop of the Diocese or other Jurisdiction, on urgent occasion or for good and sufficient cause, shall appoint some other accustomed day, being a Sunday, a Holy Day, the Saturdays in the Ember Weeks, or the Saturday before Passion Sunday.[126]

No Holy Order is to be conferred between the hours of sunset and sunrise without exception.

No appointment for the time of the ordination of any Candidate to either the Priesthood or Diaconate or the issuing of the Banns of Ordination shall be made until the Bishop of that Diocese or other Jurisdiction has had due notice that all the other canonical requirements have been complied with.

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[125] Canon XXXI, *Constitution and Canons Ecclesiastical of the Church of England,* 1603.

[126] Canon 1006 and 1247, *Codex Juris Canonici,* 1917.

§11.4.02 No Two Orders to be Conferred on the Same Day without Faculty.

No man shall be ordained both Deacon and Priest on one and the same day without obtaining a special Faculty from the Primate, which Faculty shall only be granted for good and sufficient cause. Until there be a Primate, the Metropolitan shall be applied to and have the power of issuing such special Faculty only for good and sufficient cause.

§11.4.03 Place of General Ordinations.

Ordinations to the Sacred Order of Priest or Deacon shall be holden publicly "in the face of the Church", at times appointed in these Canons, and in the Cathedral Church in the presence of the Cathedral Chapter and people invited for that purpose; but if they be holden, at the discretion of that Bishop Ordinary, in some other place within that Diocese or other Jurisdiction, in the presence of the Clergy and people of that place, the principal Church or Chapel thereof being always, as far as possible, made use of.

§11.4.04 Of Other Places.

The Bishop is not forbidden, where there is a just and good cause, to hold particular ordinations in churches other than those mentioned above or even in the church or chapel either of his own residence or of any Seminary or Religious House within his Jurisdiction.

§11.4.05 Of Necessity.

If an ordination to either the Diaconate or the Priesthood must be repeated or a rite supplied, such can be done outside of the prescribed times and privately whether the ceremony is to be performed absolutely or conditionally.

§11.4.06 Rites and Ceremonies in Bestowal of Holy Orders.

In the conferring of any Holy Order, the Bishop shall diligently take heed and observe the rites thereof, lest he himself fail in the utterance of any of the prescribed forms that effect and confer that particular Order over those who are to receive that Order, or the physical imposition of both hands upon the head of every such Ordinand or the delivery of that instrument prescribed to each.

§11.4.07 Presenters.

The Senior Priest of each Diocese or other Jurisdiction by Office and rank, or his deputy, or such other persons as by ancient custom have the right to do so, shall present to the Bishop Ordinary thereof every person who is to be ordained.

§11.4.08 Manner of Receiving a new Priest.

The Senior Priest of the Diocese or other Jurisdiction by Office and rank, with the next senior Priest by Office and rank, with two (2) other Priests, or there being no such Officers, then two (2) Priests of seniority of that Diocese or other Jurisdiction, with two (2) other Priests, and all other Priests taking part in an ordination shall together with the Bishop lay their hands upon the head of every person who receives the Order of

Priesthood.[127] On no occasion shall the number of Priests who assist the Bishop in examining and laying on of hands in the Service be fewer than three (3).[128]

§11.4.09 Con-celebration of Holy Communion.

In strict compliance with the Rubric in the Ordinal, every person that receives the Order of Priesthood in such Service of Ordination shall con-celebrate the Service of Holy Communion at that time with the Bishop who has conferred the Order of Priesthood upon him at that Service.[129]

§11.4.10 Bishop to be Celebrant.

The Service of Holy Communion at which the Sacred Order of Deacon or Priest is to be conferred shall always be celebrated by the Bishop who confers that Order in such Service.[130]

§11.4.11 Receiving the Holy Communion.

All those who are admitted and ordained to any Holy Order shall remain at the Service in which said Order has been conferred and receive the Holy Communion with the Bishop;[131] and, the Communion Service being ended, they have received the Bishop's blessing.

§11.4.12 Age of Deacons.

No person shall be made Deacon except he be twenty-three (23) years of age, unless he have a Faculty from the Metropolitan of that Province.

§11.4.13 Age of Priests.

No man shall be ordained Priest, except he be full twenty-four (24) years of age, unless being over the age of twenty-three (23) he have a Faculty from the Metropolitan of that Province.

§11.4.14 Required Service before Advancement.

A Deacon shall not be ordained to the Priesthood for at least one (1) year, unless the Bishop shall find good cause or the contrary, so that trial may be made of his behaviour in the Office of Deacon before he be admitted to the Order of Priesthood, and

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[127] Canon XXXI, *Constitution and Canons Ecclesiastical of the Church of England,* 1603.

[128] *Id.,* Canon XXV.

[129] Rubric, page 546, *B.C.P.,* Am. ed., 1928; page 655, *B.C.P.,* Canada, 1962.

[130] Rubric, pages 530, 534, 536, and 546, *B.C.P.,* Am. ed., 1928; pages 638, 643, 645, and 655, *B.C.P.,* Canada, 1962; Canon 1003, *Codex Juris Canonici,* 1917.

[131] Rubric, pages 534 and 546, *B.C.P.,* Am. ed., 1928; pages 643 and 655, *B.C.P.,* Canada, 1962; Canon 1005, *Codex Juris Canonici,* 1917.

no person shall be ordained both Deacon and Priest upon one and the same day, except as provided for in this Canon.

CANON 11.5. QUALITY OF SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS.

§11.5.01 Qualities Prerequisite.

Every Bishop shall take care that he admit no person into Holy Orders but such as he knows either by himself, or by sufficient testimony, to have been rightly baptised and confirmed, to be sufficiently instructed in Holy Scripture and in the Doctrine, Discipline and Worship of the Anglican Catholic Church, and to be of virtuous conversation and good repute and such as to be a wholesome example and pattern to the flock of Christ.

§11.5.02 Physical and Mental Impediments.

No person shall be admitted into Holy Orders who is suffering, or who has suffered, from any physical or mental infirmity which in the opinion of the Bishop will prevent him from ministering God's Word and Sacraments or from performing the other duties of the Minister's Office.

§11.5.03 Impediment of Divorce.

No man shall be admitted into Holy Orders who has contracted what purports to be a second or subsequent marriage (whether or not the same is valid according to secular law) while he has a presently living wife of a marriage considered valid by the Church, nor shall he be admitted into Holy Orders if he has contracted what purports to be marriage with a woman (whether or not the same is valid according to secular law) who has a presently living husband of a marriage considered valid by the Church.

§11.5.04 Impediment of Illegitimacy.

No person shall be refused ordination and consecration as Bishop or ordination as Priest or Deacon on the ground that he was born out of lawful wedlock.

CANON 11.6. THE *TITULUS BENEFICII*, CALLED THE TITLES OF ORDINATION OR CANONICAL TITLES, OF SUCH AS ARE TO BE ORDERED DEACONS OR PRIESTS.

§11.6.01 Necessity of a Charge or Cure of Souls.

No person shall be ordained either Deacon or Priest it this Church unless he shall first exhibit to the Bishop of the Diocese or other Jurisdiction of whom he desires the imposition of hands a satisfactory Certificate or Letter of Title from some Church, Parish, or Congregation, that he is engaged with them, and that they will receive him as their

Clergyman, or that he is provided of some ecclesiastical Office or Charge within such Diocese or other Jurisdiction that the Bishop shall judge sufficient, wherein he may attend the Cure of Souls and exercise his ministry.

§11.6.02 *Ordinationes absolutae* Prohibited.

In accordance with the Sixth Canon of the Ecumenical Council of Chalcedon, A.D. 451, neither Priest nor Deacon shall be ordained without a pastoral Charge, but whoever is ordained must be particularly appointed to some Charge in a city or the country, or to a Chaplaincy or monastery, but as regards those who are ordained without any such Charge, the Holy Synod of Chalcedon has determined that such a person so ordained shall be permanently suspended from the exercise of the ministry thus illicitly procured.[132]

§11.6.03 Other Charges or Cures.

A Bishop may also admit into Holy Orders:

(a) any man holding office or being engaged as a professor, tutor, or instructor of youth, in any University, College, Academy, or, other seminary of learning;

(b) any Master in a School;

(c) any man who is to be a Chaplain in any University or in any college, or in an Academy, or in any School or other Seminary of Learning or other institution; and

(d) any man who is living under vows in the House of any Religious Order or Community;

provided that the University, College, Academy, School, Seminary of Learning, institution or House of a Religious Order or Community be situated within his Diocese or other Jurisdiction.

Any man may, at the express permission of the Bishop of a Diocese or other Jurisdiction, be ordained Deacon or Priest to the Canonical Title of the Service of the Diocese or other Jurisdiction by formal commitment of service for a specified period for not less than one (1) nor more than necessarily three (3) years.

§11.6.04 Presentment with Canonical Title at Ordination.

At the time of the ordination of every Deacon and Priest, each Candidate is to present himself before the Bishop by whom he desires the imposition of hands and with his Certificate or Letter of Title. Each such Canonical title shall be announced publicly together with the full name of each Candidate immediately before his presentation to the Ordaining Bishop in that Service of Ordination at the appointed time.

§11.6.05 Title of Ordination or Canonical Title of Professed Religious.

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[132] This Ecumenical Canon was re-affirmed by Canon 5, Third Council of the Lateran, A.D. 1179, which has always been received and upheld throughout the Anglican Communion along with the rest of the Western Church.

A regular Religious shall retain the Title of his Profession of Solemn Vows and shall be promoted and advanced to the Order of Deacon or Priest on the title of his religious profession, or, as it is called, on the Title of Poverty. A perpetually professed Religious in simple vows shall be promoted and advanced to the Order of Deacon or Priest on the Title of the Common Table or of the Congregation, or some other similar title, according as the constitution or other rules of that institute may determine. Other Religious, in what concerns their Canonical title, come under the Canon Laws for Secular Clergy.

§11.6.06 Letters Dimissory or *Benedecessit.*

No man shall be admitted into Holy Orders by any Bishop other than the Bishop of the Diocese or other Jurisdiction in which he is to exercise his Ministry, except he shall bring with him Letters Dimissory from the Bishop of such Diocese or Jurisdiction.

CANON 11.7. CERTIFICATES AND LETTERS TESTIMONIAL TO BE EXHIBITED TO THE BISHOP BY SUCH AS ARE TO BE ORDAINED DEACONS OR PRIESTS.

§11.7.01 Certificates of Deacons.

Every man who is to be made a Deacon shall exhibit to the Bishop of the Diocese or other Jurisdiction:

(a) a Certificate or other sufficient evidence of the date and place of his birth;

(b) a Certificate or other evidence of his Baptism and Confirmation;

(c) a Certificate signed by the officiating Minister and a Churchwarden of the Parish in which he usually resides or in which his name is entered on the Church Electoral Roll, certifying that the Form commonly called *Si Quis* was read in the time of Divine Service on some Sunday at least a week before the day of Ordination and that no impediment was alleged;

(d) Letters Testimonial of his good life and conversation from three (3) Priests, one (1) of whom at least must be beneficed, *i.e.* have a Cure, who have had personal knowledge of his life and doctrine by the space of three (3) years next before or of such time as shall satisfy the Bishop; whose signatures shall be countersigned by the Bishop of the Diocese or other Jurisdiction wherein those Priests are respectively either beneficed or licensed, if he be other than the Bishop to whom the Letters are addressed;

(e) if he shall have resided in any College or Hall in any University, or in any Theological College, similar Letters Testimonial from each such College or Hall; and

(f) any other Certificates of canonical consent.

§11.7.02 Certificates of Priests.

Every Deacon who is to be Ordained Priest shall exhibit to the Bishop of the Diocese or other Jurisdiction:

(a) his Letters of Orders;

(b) a Certificate signed by the officiating Minister and a Churchwarden of the Parish or Ecclesiastical District or other such place as is provided in these Canons wherein he serves as a stipendiary Curate or, if he be not such, wherein he usually resides that the Form *Si Quis* was read according to the provisions of Section 11.7.01 and that no impediment was alleged;

(c) Letters Testimonial of his good life and conversation from three (3) Priests, of whom one (1) at least must be beneficed, who have had personal knowledge of his life, work, and doctrine during his Diaconate; whose signatures shall be countersigned according to the provisions of Section 11.7.01; and

(d) any other Certificates of canonical consent.

§11.7.03 Academic Cures.

When any man is to be ordained Deacon or Priest who is a Fellow in any College or Hall in any University, or a Master in any School, having a Chapel belonging thereto, the Form *Si Quis* may, with the consent in writing of the Bishop who is to ordain him, be read in such Chapel and the Certificate signed by the officiating Minister and the Head of the College or Hall, or the Headmaster of the School, as the case may be.

CANON 11.8. THE *SI QUIS,* OR BANNS OF ORDINATION.

§11.8.01 Publishing the Notice of Ordination:

The names of the Candidates for Holy Order on the Bishop's List shall be transmitted by the Bishop to each officiating Clergyman, to be published by him during service at each place where he officiates, at least one (1) month before the day of Ordination.

§11.8.02 Certifying the *Si Quis.*

The Wardens of each place are to certify to the Bishop that the Form *Si Quis* had been so published. If any impediment or challenge had been raised, they are to inform the Bishop forthwith, with particulars.

CANON 11.9. NORMAL STANDARD OF LEARNING AND EXAMINATION OF CANDIDATES FOR HOLY ORDERS.

No Bishop shall admit any persons into Holy Orders except such person, on careful and diligent examination, wherein the Bishop having jurisdiction in that place shall have called to his assistance the Archdeacons or other such Officials of that place

with his examining Chaplains or other such Commission on the Ministry appointed for this purpose, be found to possess a sufficient knowledge of:

§11.9.01 Holy Scripture: The Old and New Testaments with the Apocrypha in English, their contents, teachings, theology, and historical background; a reading knowledge of the New Testament in Greek, together with special knowledge of one Synoptic Gospel and of the Gospel according to Saint John, and of three Epistles, one of which shall be Romans or First Corinthians or Hebrews;

§11.9.02 Church History: The History of the Early Church, the Fathers, the Councils, Doctrine, and the later Eastern and Western Churches including the History of the Church of England and Anglicanism in general, and of this Church in particular;

§11.9.03 Dogmatic, Systematic, and Patristic Theology: The Church's Doctrine, Discipline, Worship, Tradition, and other teachings thereof, especially as set forth in the Creeds, the Fathers, the Doctors of the Church, and the *Book of Common Prayer*;

§11.9.04 Christian Apologetics;

§11.9.05 Moral Theology and Christian Ethics;

§11.9.06 Ascetical and Mystical Theology: The History, Development, Theology, and Practice of Christian Spirituality, Formation, and Discipline, and its relation to Moral Theology and the Sacraments of the Church;

§11.9.07 Liturgical Theology: The Principles, History, and Development of Christian Worship; the History, Contents, Spirituality, and Liturgical Theology of the *Book of Common Prayer*;

§11.9.08 Canon Law and Ecclesiastical Polity: The History, Doctrines, Contents, and Development of the Common Law of the Church Catholic, the General Canon Law, Custom, and the Constitution and Canons of this Church and of the Province and Diocese wherein he is canonically resident;

§11.9.09 Pastoral Theology and its Practice: The Office and Work of a Deacon and of a Priest; the use of the *Book of Common Prayer*, the Administration of the Sacraments, and the Conduct of Public Worship; Homiletics: Principles of Sermon Composition and Delivery. In connection with the examination in this subject the Candidate shall present three (3) sermons, composed by himself, or texts of Holy Scripture appointed by the Bishop; Pastoral Care; Parish Organisation and Administration; Principles and Methods of Christian Education; and the use of the voice in reading, speaking, and liturgical chanting;

§11.9.10 Church Music: The Study, History, and Application of Liturgical Music, especially to the traditional forms and their use; and

§11.9.11 Elective Subjects:

He must also offer one of the following elective subjects:

(a) Hebrew,

(b) The History and Development of Christian Philosophy,

(c) The Philosophy of Religion,

(d) Church Music,

(e) Advanced Exegesis of the Greek New Testament, or

(f) A particular subject of study of one of the Church Fathers or Doctors of the Church and his teachings, a period of Church History, or of one of the Ecumenical Councils.

§11.9.12 Studies in languages other than English:

When the principal cultural language of a Diocese or other Jurisdiction of this Church is other than English, or where there is a significant segment of the population of the Jurisdiction wherein the cultural language is other than English, the course of study set forth above in this Canon or the examination therein may be conducted in that cultural language as the Bishop Ordinary of that Jurisdiction shall direct.

CANON 11.10. POSTULANTS AND CANDIDATES FOR HOLY ORDERS.

§11.10.01 Postulants.

(a) *Bishop may admit worthy Postulants*:

The Bishop of any Diocese or other Jurisdiction may admit men as Postulants for Holy Orders if he finds them worthy.

(b) *Local Synods may Regulate Conditions for Postulancy:*

Diocesan Synods, or the Synods of other Jurisdictions, may enact Canons regulating conditions for Postulancy not inconsistent with these Canons or the Constitution of this Church or the Province, otherwise the matter lies within the Bishop's discretion.

(c) *Postulants' Lay Rights and Duties not Affected:*

Admission as a Postulant shall in no wise alter, abridge, circumscribe, or otherwise affect the Postulant's rights, duties, or responsibilities as a qualified member of the lay order.

§11.10.02 Candidates.

(a) *Bishop shall admit worthy Candidates*:

The Bishop of any Diocese or other Jurisdiction, shall admit Postulants, who are found to be worthy, to be Candidates for Holy Orders, after consultation

with either his Archdeacon, Examining Chaplains, Commission on Ministry, Standing Committee, or any other body appointed for such purpose and as may be required by Diocesan Canon or other regulation.

(b) *Bishops to keep Register of Candidates:*

Such Bishop shall keep a Register of Candidates wherein he shall enrol, or cause to be enrolled, the names of any and all men so accepted and admitted as Candidates.

(c) *Issuance of Letters Dismissory upon another Bishop's Request*:

Upon written request of the Bishop of the Jurisdiction to which a Candidate intends to remove, the Bishop originally enrolling such Candidate may give Letters Dismissory to any Candidate intending to remove, to present to the Bishop of the Candidate's new Jurisdiction; provided always, that no Candidate may remove without such Letters, that they be withheld only upon proper cause, and that the right of a Candidate refused such Letters to appeal to the appropriate higher Authority be preserved.

(d) *Candidates removed from one Register without Letters Dimissory not to be admitted elsewhere for three (3) years*:

No man removed by his Bishop from the Register of Candidates in any Diocese or other Jurisdiction, except by Letters Dimissory as herein before provided, shall be entered upon the Registrar of another Diocese or other Jurisdiction for the space of three (3) years from his removal from the Register of the first Diocese or other Jurisdiction.

(e) *Local Synods may Regulate Conditions for Candidacy*:

Diocesan Synods, or the Synods of other Jurisdictions may enact Canons regulating conditions for Candidacy not inconsistent with these Canons or the Constitution of this Church or the Province, including regulations providing for forms of Certificate from the Archdeacon, Examining Chaplains, Commission on Ministry, Standing Committee or any other body appointed for such purpose to the Bishop as to the sound learning and morals of persons to be admitted as Candidates for Holy Orders; otherwise the matter of Candidacy lies within the Bishop's discretion. Such regulations may require a Certificate of the conduct, faith, and morals of persons to be admitted as Candidates to be signed by the Rector or other appropriate local authorities of this Church, where such there be.

(f) *Candidates' Lay Rights and Duties not Affected*:

Admission as a Candidate shall in no wise alter, abridge, circumscribe, or otherwise affect the Candidate's rights, duties, or responsibilities as a qualified member of the lay order.

§11.10.03 Time of Candidacy.

The minimum time any man shall serve as a Candidate before being ordained to the Diaconate shall be six (6) months, except for serious cause the Bishop may determine otherwise after consultation with his Archdeacon, Examining Chaplains, Commission on Ministry, Standing Committee or any other body appointed for such purpose as may be required by Diocesan Canon or other regulation.

§11.10.04 Candidates already Ministers in other Christian Bodies.

Notwithstanding anything elsewhere provided in any Canon or other regulation of force and effect within this Church, for serious cause and after consultation with his Archdeacon or other authority as in Canon 11.9, the Bishop of any Jurisdiction of this Church may at his discretion admit any Candidate received as a Clergyman, but whose orders are in doubt, to the Diaconate or Priesthood in this Church by *sub-conditione* ordination without unnecessary delay, provided always, that any man so to be conditionally ordained Priest as well as Deacon shall not receive both Orders in any one day, except upon receipt of the Faculty required by these Canons.

§11.10.05 Canonical Dispensations from Educational Requirements.

(a) *Dispensation permitted where pastorally advisable*:

Notwithstanding anything elsewhere provided in any Canon or other regulation of force and effect within this Church, for serious cause and after consultation with his Archdeacon or other authority as in Canon 11.9, the lawful and proper Bishop of any Jurisdiction of this Church may at his discretion canonically dispense any man from such educational requirements as are set forth in these Canons or elsewhere if that Bishop finds it pastorally advisable, provided always that any man so dispensed may not be granted Letters Dimissory to another Diocese or other Jurisdiction without a written request of the lawful and proper Bishop thereof, and some suitable Charge or Cure of Souls be provided for him.

(b) *Restrictions upon men so dispensed*:

A Deacon or Priest so dispensed may be restricted by terms of his License as to his right to preach sermons of his own composition, and a Priest so dispensed may be restricted by terms of his Faculty to hear confessions only in exceptional circumstances or upon such conditions as that Bishop Ordinary, after consultation, may determine.

§11.10.06 Episcopal Visitors or Guardians of a See may admit Postulants and Candidates.

Whenever a See of this Church is canonically vacant, or its lawful and proper Bishop is unable to function for any reason, the Episcopal Visitor thereof, or, in instances of *sede vacante,* the other Guardians of the Spiritualities thereof, are empowered to admit Postulants and Candidates in the same manner as that Bishop Ordinary and under the same provisions applicable in that Diocese or other Jurisdiction until the lawful taking of the canonical possession of the Spiritualities of that See by the Bishop-Elect thereof.

CANON 11.11. SEMINARIES.

§11.11.01 Establishment by the Holy Synod and by Provincial Synods.

The Holy Synod or any Provincial Synod of this Church may establish Theological Colleges, Seminaries, or other Schools of Divinity for the sound education and training of men for both the Priesthood and the Diaconate, as well as the continuing education of the Clergy and others, and may approve statutes, rules, regulations, and governance for the same as the Synod or Synods may deem good or necessary.

§11.11.02 Dioceses may Establish.

Any Diocese or other Jurisdiction of this Church may establish an institution or institutions to the same ends, and may provide such statutes, rules, regulations, and governance for the same as its Synod may deem good or necessary.

§11.11.03 Suppression of such Schools.

Any such Theological College, Seminary, or School of Divinity may be suppressed by the Synod which established it, subject to the provisions of Article XIX of the Constitution of this Church where applicable.

§11.11.04 Qualifications for Admission.

Any such Theological College, Seminary, or other School of Divinity may admit men with such University or College Degrees as may by its statutes, rules, regulations, or other governance be deemed good or necessary, or otherwise appropriate.

§11.11.05 Co-operation with other Institutions.

Any such Theological College, Seminary, or other School of Divinity may be established in connection or co-operation with any other such School or institution in or of any other Diocese or Province, by mutual consent of the parties concerned.

§11.11.06 Accreditation.

Any such Theological College, Seminary, or other School of Divinity may seek accreditation from the appropriate authorities concerned with the academic community, but only upon such conditions or terms as will enable it to offer courses required under or implied by Canon 9 of this Title and elsewhere in these Canons, or of the Province or other Jurisdiction, for the training of the Clergy.

§11.11.07 Reading for Orders.

Nothing in the foregoing six (6) Sub-sections or elsewhere shall preclude a Candidate's reading for Orders under the supervision and direction of such godly and well-learned Priest as may be appointed by the Archdeacon, Commission on Ministry, Board of Examining Chaplains or other such appropriate Committee or Commission, pursuing such course of study as may be approved by them to fit him for examination in the subjects required by Canon 11.9 and the devout and holy exercise of the Ministry and Vocation to which he may be admitted.

TITLE XII – OF THE DUTIES OF THE CLERGY AND THEIR MANNER OF LIFE

CANON 12.1. PRIESTS HAVING A CURE OF SOULS.

§12.1.01 Daily Office.

Every Priest having a Cure of Souls shall provide that, in the absence of reasonable hindrance, Morning Prayer and Evening Prayer shall be said daily in the Church, or one of the Churches, of which he is the Minister.

§12.1.02 Celebration of Holy Communion and other Ministrations.

Except for some reasonable cause approved by the Bishop of that Diocese or other Jurisdiction, every Priest having a Cure of Souls shall celebrate, or cause to be celebrated, the Holy Communion on all Sundays and other greater Feast Days and on Ash Wednesday, and shall administer the Sacraments and other Rites prescribed in and by the *Book of Common Prayer*, diligently, as occasion may require.

§12.1.03 Sermons.

Every Priest having a Cure of Souls, except for some reasonable cause approved by the Bishop thereof, shall preach, or cause to be preached a sermon in his Church at least once each Sunday.

§12.1.04 Instruction of the Young.

He shall instruct the children of his Cure, or cause them to be instructed, in the Christian Faith and, where it is allowed by the civil law, he shall teach in the schools of his Cure.

§12.1.05 Preparation for Confirmation.

He shall carefully prepare, or cause to be prepared, all such as desire to be confirmed and, if satisfied of their fitness, shall present them to his Bishop for Confirmation.

§12.1.06 Pastoral Care.

Every such Priest shall be diligent in visiting his Parishioners or those of his Cure, particularly those who are sick and infirm and, so far as he can, those who are whole; and he shall provide opportunities whereby any of his Parishioners may resort unto him for spiritual counsel and advice.

Every such Priest shall also use his best endeavours to ensure that he be speedily informed whenever a person of his Cure is sick or in danger of death, and shall as soon as possible resort unto him or her to exhort, instruct, and comfort him or her in his or her

distress according to The Order for the Visitation of the Sick [133] or The Ministry to the Sick [134] and The Communion of the Sick [135] or as such Priest shall think most needful and convenient. Particularly shall such Priest move the sick person to make a special confession [136] of his or her sins, if he feels his or her conscience troubled with any matter, to receive the Laying on of Hands of the Sick [137] or the Unction [138] or Anointing of the Sick,[139] or both, if he or she desires such ministry or healing and as his or her condition permits, and to receive the most comfortable Sacrament or the Body and Blood of Christ, either by celebration [140] in the sick person's house or room as the case may be, or by the Administration of the Holy Communion from the Reserved Sacrament.[141]

Such Priest shall also be bound to prepare and assist the dying of his Cure in order that they make a good and Christian death, and, of the dying, he shall not then slack is his last duty of the administration of the last rites *in extremis* of Holy Church and of the Commendation of the Soul, if circumstances may so permit, at the point of Departure.[142]

§12.1.07 Supply.

If at any time he shall be unable to discharge his duties whether from non-residence or some other cause, he shall diligently endeavour to provide for his Cure to be supplied by a Priest licensed or otherwise approved by the Ordinary of that Diocese or other Jurisdiction.

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133 *Book of Common Prayer*, American edition 1928, pages 308 to 320.

134 *Book of Common Prayer*, Canadian edition 1962, pages 576 to 587; Church of India, Pakistan, Burma and Ceylon edition 1963, pages 651 to 667.

135 *Book of Common Prayer*, American edition 1928, pages 321 to 323; Canadian edition 1962, pages 582 to 584; Church of India, Pakistan, Burma and Ceylon edition 1963, pages 661 to 664.

136 Rubric, *Book of Common Prayer*, American edition 1928, page 313; A form of Confession and Absolution, Canadian edition 1962, pages 581 to 582; Church of India, Pakistan, Burma and Ceylon edition 1963, pages 656 to 658 and 337 to 338.

137 *Book of Common Prayer*, American edition 1928, page 320; Canadian edition 1962, pages 582 to 584; Church of India, Pakistan, Burma and Ceylon edition 1963, pages 658 to 659.

138 *Book of Common Prayer*, American edition 1928, page 320.

139 *Book of Common Prayer*, Canadian edition 1962, pages 585 to 587; Church of India, Pakistan, Burma and Ceylon edition 1963, pages 659 to 661.

140 *Ibid.,* also footnote 84, *supra.*

141 *The Supplement to the Book of Common Prayer*, Church of India, Pakistan, Burma and Ceylon edition 1963, pages 300 to 304.

142 *Book of Common Prayer*, American edition 1928, pages 319 to 320; Canadian edition 1962, pages 590 to 591; Church of India, Pakistan, Burma and Ceylon edition 1963, pages 666 to 667.

§12.1.08 Solemn Exorcism.

(a) *Necessity of Prior License or Faculty for Solemn Exorcism:*

No Priest or Priests of this Church shall in any wise attempt, upon any pretence or pretext whatsoever, to perform, by fasting and prayer, the solemn exorcism of diabolical or demonic possession, whether it be partial possession or complete and total possession, or obsession of persons or to cast out or adjure or to perform any act of driving out or adjuring, or warding off, demons or evil spirits or forces from persons, places, or things that are, or things that are, or are believed to be, possessed or infested by them or are liable to become victims or instruments of their malice, save and unless such Priest or Priests shall have first consulted with the Bishop Ordinary of that Diocese or other Jurisdiction and shall have received from him, under Hand and Seal Episcopal, the special and express written License or Faculty for such special ministry, and that he or they follow such Bishop's direction without deviation therein and therefor, under pain of suspension *a divinis* for the first fault, of excommunication for the second, and of deposition from the Ministry for the third.

(b) *Rites and Ceremonies for Solemn Exorcism:*

Neither shall any such Priest or Priests use any rite or ceremony, especially of his or their own devising or composition, for such special ministry save only that which shall be set forth and specifically provided therefor by lawful authority of the College of Bishops of this Church or of that Province, or both.

(c) *No Exceptions Allowed:*

No pleading of general Mission received by Ordination to the Priesthood whatsoever shall be allowed or permitted to be advanced as sufficient excuse for not complying with the provisions of this Section.

(d) *Canonical Office of Exorcist:*

The Bishops Ordinary of this Church may appoint, to serve at their pleasure, exorcists for their respective Jurisdictions in conformity with provisions of this Section.

Such exorcists must be at least in Priest's Orders. They are to be men of mature age, of proven good judgement, of undoubting and unquestioning faith and integrity, living a devout, holy, and pious and disciplined Christian life, of irrefutable good character, be a regular penitent, and distinguished for prudence and integrity of life.

Such Bishops must ensure that any exorcist they may so appoint be fully trained in the duties, dangers, responsibilities, and work of this special ministry as well as thoroughly instructed and knowledgeable in all matters pertaining to exorcism. Such Priests so appointed are to be learned in Sacred Theology and Canon Law, and above all, have an abiding, lively, and sure faith in the victory of Our Lord Jesus Christ over Satan, sin, and the world.

(e) *Simple Exorcism:*

The provisions of this Section shall not apply to those Ministers in cases of exorcism of catechumens, or those exorcisms which may occur in the

administration of Holy Baptism, or those simple exorcisms of water, salt, or oil or in various similar blessings or consecrations, and no special power is needed beyond that of Orders and having been duly commissioned or appointed to perform such rites.

CANON 12.2. DUTY OF CLERGYMEN TO SAY THE DAILY OFFICE.

It shall be the duty of every Bishop, Priest, and Deacon of this Church to say, either by himself or with others, the Office of daily Morning Prayer and of daily Evening Prayer, unless for just cause prevented; and whenever possible, in such a manner that the Congregation may pray with him, in the Church or otherwise.

CANON 12.3. DUTY OF PRIESTS TO CELEBRATE THE HOLY COMMUNION, AND OF DEACONS TO ASSIST.

It shall be the duty of every Bishop and Priest of this Church to celebrate, assist in, or participate in the Celebration of the Holy Communion on every Sunday and other day for which a Collect, Epistle, and Gospel are provided in the *Book of Common Prayer* for the Celebration of that Sacrament; and it shall be the duty of every Deacon of this Church, under the direction of the celebrant, to assist the Priest at the time of administration of that Sacrament on every Sunday and such other day, according to the Office of his Ministry.

CANON 12.4. USE OF ORNAMENTS AND VESTMENTS IN THIS CHURCH.

Any and all Ornaments of the Church, and the Ornaments and Vestments of all the Clergy thereof, at all times of their Ministrations, and of the minor orders and lay functionaries in assisting thereat, as have been permitted by the laws applicable to the Church of England at any time since the commencement of the reign of Edward VI, shall be retained and be permitted in use in this Church.

CANON 12.5. HEARING OF CONFESSIONS.

§12.5.01 Priests to receive Faculty to Hear Confessions.

Whereas, in accordance with the Second Exhortation attached to the Order of Holy Communion in the *Book of Common Prayer*, it is requisite that any with a troubled conscience shall resort to some discreet and learned Priest, that by the ministry of God's

holy Word he may receive the benefit of Absolution, together with spiritual counsel and advice; such Ministry shall be exercised in any Diocese or other Jurisdiction of this Church only by Priests who have been in Orders not less than two years from their admission to the Priesthood, and possess the authority of the Bishop Ordinary of that Jurisdiction either by virtue of the Office to which such Priests have been instituted and inducted, or licensed or otherwise holding that Bishop's written Faculty.

§12.5.02 Consent of the Priest having Jurisdiction normally required to Hear Confessions.

No Priest of this Church shall suffer any person to resort to him to confess any secret or hidden sin and to receive the benefit of Absolution from him or shall exercise such Ministry in any place except he have the permission of the Clergyman having the Cure of Souls therein and the charge thereof, save by Office as set forth in Sections 12.5.01 and 12.10.08, or save with the express authority by written instrument of the Bishop having Ordinary jurisdiction in that place.

Therefore, it is the special duty of such Bishops Ordinary to instruct, or cause to be instructed, those Priests whom they choose to grant such concession to exercise such ministry of reconciliation, committed by Christ to his Church, within their Jurisdictions on the knowledge and matters which Confessors must and ought to know, and, except for good cause prevented, that such Bishops Ordinary do not grant such License or Faculty to any Priest except he first be found qualified and fit to exercise such ministry by means of an examination, or his qualifications and fitness are evident from another source or have been otherwise ascertained. It is hereby noted that such qualifications and fitness needed for such approbation by such Bishop shall include not only the knowledge of theology, but also qualities of morality, prudence, and piety.

All Bishops Ordinary are hereby straightway charged, as a grave obligation of conscience, that they are to admonish and canonically warn their subject Confessors, and to explicitly teach such, that they do not mention matters of confession or such sacramental matter under any form or pretext whatsoever, not even merely In passing, directly or indirectly, In private conversations or in sermons, particularly in Missions or retreats. In the examinations of Confessors before issuance of such Faculties and Licenses, special attention should be given to these points.

It is appropriate that Bishops provide instruction be given to their Priests at the times of Clergy Conferences or in public or private addresses or charges thereto as set forth in Section 6.5.08.

§12.5.03 Exceptions to the above Restrictions.

(a *Canonical Dispensation from normal Time of Experience Required*:

Whereas the People of certain Cures might be otherwise deprived of the benefit of Absolution, the Bishop of that jurisdiction may dispense any Priest by written Faculty, to be granted only for serious pastoral needs, from the requirement that he be in Priest's Orders for the space of not less than two (2) years, during which time he shall receive spiritual direction and pastoral training under an experienced confessor.

(b) *Dispensation from the Necessity of Faculties* **in periculo mortis***:*

Notwithstanding anything contained in the previous Sections of this Canon, any Priest may exercise this ministry anywhere in respect of any person or persons who may be in present danger of death, or if there be some other urgent or weighty cause.

And concerning the dying, the ancient Canonical Law is still to be kept and maintained, that if anyone be at the point of death, the Priest shall not deprive him, if he be penitent, of either the last and most indispensable Absolution from all sins, excommunications, and censures, or thereafter of the most holy Viaticum.[143] And any Priest may absolve the dying even from Sins Reserved.

(c) *Canonical Dispensation from the need of Consent from the Priest Having Jurisdiction to Hear Confessions*.

Notwithstanding anything contained in the previous Sections of this Canon, any Priest who has the express canonical authority to exercise such ministry as set forth in Section 12.5.01, and who has by institution or admission, the Charge of any Parish, Congregation, Mission, or other Cure within this Church and the Cure of Souls therein, may exercise this ministry in any Diocese or other Jurisdiction of this Church or in any place and at any time in respect of any person belonging to such Priest's Cure and canonically resident therein, being subject to such Priest's Spiritual Jurisdiction, when such person desirous of being shriven reasonably so requests such Priest to hear his or her confession.

§12.5.04 Inviolability of the Seal of Confession.[144]

(a) If any person confess his secret and hidden sin to a Bishop or Priest for the unburdening of his or her conscience or for the opening of his or her grief and disclosing or revealing the wounds of his or her sin, and to receive spiritual consolation and advice, and ease of mind and the remedy and benefit of Absolution from him, or for any of these foregoing reasons: such Bishop or Priest is straightly charged and admonished that he do not at any time reveal and make known to any person whatsoever any sin, crime, offence, grief, or matter so committed to his trust and secrecy, such Bishop or Priest so revealing or making known or betraying or identifying the sinner in any manner or fashion or for any reason, whether by word, writing, or sign, directly or indirectly, openly or covertly. or in any other way manner, or means, being excommunicated *ipso facto* upon commission of such offence and likewise being subject to deposition and deprivation from his Office necessarily made and such deprivation, deposition, and excommunication strictly Reserved to the Primate of the Church, or until there is a Primate, the Metropolitan himself of that Province.

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[143] Canon 13, Nicaea I, A.D. 325.

[144] Also known and designated as the Divine Seal, the Canonical Seal, and the Sacramental Seal or *Sigillum Confessionis sive Sacramentale.*

(b) Neither shall any such Bishop or Priest make use of any matter or knowledge [145] gained in or acquired through or otherwise disclosed unto him in the exercise of such ministry to the offence, detriment, harm, or advantage of the person from whom he has received it, even if there be no danger of betraying the identity of such person aforementioned, nor shall any such Bishop or Priest, who is in a position of authority in any place, make use of any such matter or knowledge [146] thus gained or acquired in the exercise of his authority, either directly or indirectly, whether the exercise of authority be in either the external forum, or the internal forum such use being wholly forbidden, save within the Tribunal of Penance [147] when such Bishop or Priest be either the Confessor or the Penitentiary to that person or in such causes, cases, or matters of Sins Reserved as set forth in Section 12.5.05, that Bishop or Priest remaining under the usual and absolute Seal, under pain of excommunication, deposition, and deprivation.

(c) The solemn obligation and duty of preserving the Seal of Confession devolves upon and binds all who, by lawful or unlawful means, have acquired knowledge or come to a knowledge of any matter, directly or indirectly, advertently or inadvertently, or in any other way, of that which falls under the usual and absolute seal. Therefore, in addition to such Bishop or Priest, the following are likewise bound by the Seal of Confession:

- **(i)** those to whom matter protected by the Seal is revealed;
- **(ii)** those who overhear a confession;
- **(iii)** those who read written material protected by the Seal.
- **(iv)** those who write our another's confession during the actual confession; and
- **(v)** those who act as interpreters during the actual confession.

If any of them so rashly do violate the Seal, they shall be punished with wholesome penalties, according to the seriousness of their offence, the pain of greater excommunication not being excluded.

(d) The solemn obligation of the Seal of the Confession to silence on the part of those whom such obligation devolves does not terminate upon or with the death of the penitent concerned, but likewise is perpetually binding upon all those to whom such obligation has devolved, with the appropriate penalties as above.

(e) If anyone shall attempt to coerce, threaten, or constrain any such Bishop or Priest or person named in the preceding Sub-sections of this Section to violate the Seal of Confession in any manner, the person making such attempt shall be excommunicated *ipso facto* and, if such person be in any Holy Order, shall

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[145] The terms "matter" and "knowledge" are used here in their technical canonical sense respectively of "confessional" or "sacramental matter" and of "confessional" or "sacramental knowledge."

[146] *Ibid.*

[147] Also known as the Tribunal of Mercy.

be subject to deprivation and deposition necessarily made; and such excommunication, deprivation, and deposition shall be strictly reserved to the Primate of this Church or, until there be a Primate, the Metropolitan of that Province.

§12.5.05 Absolution of Sins Reserved.

Absolution of Sins which are Reserved by the Law of the Church is to be granted by the Metropolitan or Bishop to whose Jurisdiction it appertains, either by himself in person or by the Priest Confessor to whom he delegates his Authority by special Faculty for that specific case. Any Sin so Reserved shall be reported to the Metropolitan or Bishop by the Priest Confessor to whom the original Confession was made, such Report to be made by the Priest to that Metropolitan or Bishop either in person or by sealed letters, in neither case mentioning nor suggesting the name or identity of the penitent party, but giving the pertinent facts of the case, both the Priest and Prelate remaining under the usual and absolute Seal, under pain of deposition, deprivation, and excommunication.

§12.5.06 Need of Counsel in Difficult Cases.

If any Confessor in this Church should stand in need of wiser counsel concerning a matter heard during a confession made to God before him, especially of a difficult nature, let him ask the penitent party for permission to seek it, and if such person shall expressly,[148] knowingly,[149] and freely [150] give such permission, the Confessor may consult a theologian or another such expert or counsel, either in person or by sealed letters, in neither case mentioning nor suggesting the name or identity of the penitent party, or in any way indicating the person, but giving the pertinent facts of the case, both the Confessor and the consultant remaining under the usual and absolute Seal, under pain of deposition, deprivation, and excommunication.

§12.5.07 Pastoral Obligation to Hear Confessions.

No Priest so licensed by Faculty or by virtue of such Office as set forth in Section 12.5.01 may unreasonably or frequently refuse his solemn pastoral duty and moral obligation to hear the Confessions of the People committed in Christ's Name to his Cure and Charge as the latter may reasonably request so to be heard.

To this end, therefore, such Priest shall, unless for good cause prevented, provide that opportunity be given to those entrusted to his Cure and Charge to avail themselves individually of this ministry in order that they may be shriven on days and hours set for their convenience.

And it is herein stated that such opportunity shall be given especially during Advent and Lent and before and throughout the Greater Feasts of the Church: Christmas, Easter, and Pentecost.

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[148] This term is used herein in its common and customary ecclesiastical and moral theological sense.

[149] *Ibid.*

[150] *Ibid.*

§12.5.08 Inviolability of Privileged Communications recognised by this Church.

The solemn obligation of the Seal of Confession and the obligation to observe the provisions of this Canon, as well as the obligation to keep confidential any other communication recognised as privileged by the Canon Law or the Moral Teaching of this Church, are binding upon all members of this Church without exception, whether they be of the Clerical State and Order or of the Lay State and Order, and the obligations are not and shall not be affected in any way by any contrary disposition of the Law in, of, or by any Civil Jurisdiction wherein communications to an Ordained Minister of God's Word and sacraments, whether sacramental or non-sacramental or extra-sacramental, are not considered privileged at Law.

§12.5.09 Public Penance, Canonical Penance, and Solemn Penance.

(a) Public Penance or *Poenitentia Publica.*

[Reserved]

(b) Canonical Penance or *Poenitentia Canonica.*

[Reserved]

(c) Solemn Penance or *Poenitentia Solemnis.*

[Reserved]

CANON 12.6. DEVOTIONAL LIFE OF CLERGYMEN.

Every Bishop, Priest, and Deacon of this Church is under obligation to spend some time daily in prayer and intercession; to examine his conscience at regular intervals; and to be diligent in the study of the Holy Scriptures and the ancient Fathers of the Church, and in such other studies as pertain to his ministerial duties.

CANON 12.7. MANNER OF LIFE OF CLERGYMEN.

§12.7.01 Avoidance of Improper Conduct.

No Bishop, Priest, or Deacon shall give himself to such occupations, habits, or recreations as do not befit his sacred calling, or may be detrimental to the performance of the duties of his Office, or tend to be a just cause of offence to others; neither shall he resort to or frequent any place not befitting his sacred calling, except for the purpose of performing the duties of his Office. In particular, he shall not contract a marriage, or do or suffer any act or thing, which would be violative of order or discipline, or which, if he were a candidate for Holy Orders, prevent him from being admitted thereto. But at all times he shall be diligent to frame and fashion his life according to the Doctrine of Christ,

and to make himself, as much as in him lies, a wholesome example and pattern to the flock of Christ.

§12.7.02 Incompatibilities with Vocation.

No Bishop, Priest, or Deacon shall accept or undertake any office, work, or duty which is incompatible with his sacred calling or detrimental to the performance of the duties of the ecclesiastical office to which he is appointed except as elsewhere provided in these Canons.

CANON 12.8. DRESS OF CLERGYMEN.

Every Bishop, Priest, or Deacon of this Church shall wear such apparel as shall be suitable to his sacred Office and Ministry, and which shall indicate his holy calling and vocation both to those committed to his spiritual charge and to the public, except for some urgent cause wherein he charge his conscience, or for the purpose of innocent recreation or employment.

CANON 12.9. APPOINTMENT OF RECTORS, INCUMBENTS, AND PRIESTS-IN-CHARGE

§12.9.01 Bishop's Right to Nominate and Appoint.

The right to nominate and appoint to all vacant Cures of Souls within or of a Diocese or other Jurisdiction of or otherwise subject to the authority of this Church shall rest with and be vested in the Bishop Ordinary thereof, except places exempt by law or custom [151] or where other provision is made in these Canons.

§12.9.02 Right to Elect and Call by Parishes and Congregations.

The right to elect and call a Priest as Rector or Incumbent to a vacant incumbency or benefice as set forth in Section 17.1.03 within or of a Diocese or other Jurisdiction of or otherwise subject to the authority of this Church shall rest with and be vested in the Parish, Congregation, Mission, or other Cure or its Churchwardens and vestry or its Trustees or other such authority duly authorised to elect a Rector or Incumbent or whomever may be authorised to act in the premises, as may be applicable in that instance, subject to the authority of the Bishop Ordinary of the Jurisdiction as provided in this Canon and elsewhere in the Constitution of this Church or these Canons.

§12.9.03 Due Notice of Vacancy Required.

[151] *E.g.,* Religious Houses or Ecclesiastical Peculiars.

(a) When the benefice or incumbency of any Cure of Souls within or subject to the authority of the Bishop Ordinary of that Jurisdiction shall become vacant by either the death of that Rector or Incumbent or in such cases wherein the concurrence of that Cure to the resignation of any Rector or incumbent thereof is required as provided in Section 12.12.01, that fact or circumstance shall be duly certified to that Bishop Ordinary by the appropriate authorities or Officers of that Cure.

(b) Also, the Bishop Ordinary of that Jurisdiction shall give written notice both to the Priest concerned and to that Cure within thirty (30) days that he either accepts such resignation as provided in Section 12.12.01 or that he declines such resignation. If the Bishop Ordinary accepts such resignation, that Cure shall become vacant upon the conditions or terms so stipulated therein or as otherwise directed by that Bishop Ordinary.

§12.9.04 Nomination by the Bishop.

Upon a vacancy occurring within any incumbency or benefice or other such Cure within or subject to the authority of a Bishop Ordinary of that Jurisdiction under Section 12.9.01, such Bishop Ordinary shall nominate, within reasonable time to prevent undue delay, and forward the names of four (4) or more Priests, wherein he may take into consideration the names of any Priests advanced to him for consideration by that vacant Cure, to that vacant Cure as Candidates for the Office of Rector or Incumbent of that benefice or incumbency of that Parish, Congregation, or other such Cure and for the consideration by such vacant Cure for election and call thereto by that Parish, Congregation, or other such Cure or its Churchwardens or Vestry or its Trustees or other such authority duly authorised to elect a Rector or Incumbent or whomever may be authorised to act in the premises, as may be applicable in that instance.

If a name so advanced for his consideration by the Vestry or other such authority is acceptable to the Bishop Ordinary, that Bishop Ordinary may, in that instance, nominate that name alone.

§12.9.05 Election and Call.

Upon the election and call of one of the Priests whose names were forwarded to that Cure for its consideration by the Bishop Ordinary under Section 12 9.04 to be either the Rector or Incumbent of that vacant Cure, the proper electoral authority of that Cure shall duly certify such election and call to the Bishop Ordinary.

§12.9.06 Confirmation of Election.

The Bishop Ordinary of that Jurisdiction, upon then receiving the written consent of that Priest so elected and called, shall determine and be satisfied that all other canonical requirements applicable or may be necessary in each case have been completed and that no constitutional or canonical impediments exist, or conditions applicable are present or have obtained, on account of which such election ought not be confirmed by that Bishop Ordinary.

Having so determined and being thus satisfied as to the validity of that election and call, the Bishop Ordinary shall issue his written confirmation of the same and take order for that Priest's institution and induction.

§12.9.07 Failure to Elect.

If the electoral authority under Sections 12.9.02 and 12.9.05 should fail to act or to elect within three (3) months any of the names of the Candidates nominated and forwarded to such electoral authority by the Bishop Ordinary, or the electoral authority responds negatively to such names, the Bishop Ordinary shall have the right to appoint and admit by his license to that vacant Cure a Priest-in-Charge of his own choosing who shall have the Charge thereof and the Cure of Souls therein without tenure and be the *locum tenens* thereof until such time as there be mutual resolution of such vacancy in that incumbency or benefice between that Bishop Ordinary and the electoral authority of that vacant Cure.

The Priest-In-Charge shall be entitled to call upon normal financial support from that Cure until such time as a mutual resolution is reached and concluded.

The Bishop Ordinary may meanwhile forward the names of other Priests for consideration by the electoral authority of that vacant Cure.

§12.9.08 Right to Elect of Dependent Congregations and Missions.

The right to elect the Rector or Incumbent to the vacant incumbency or benefice of a dependent Congregation or Mission as set forth in Section 18.1.04 or in other such Cures within or of a Diocese or other Jurisdiction of or otherwise subject to the authority of this Church shall rest with and be vested in the Bishop Ordinary thereof upon any failure to elect and call a Priest as set forth in Sections 12.9.04 and 12.9.05.

Where the vacancy is that of a Priest-in-Charge, the right of election rest solely with and is vested in that Bishop Ordinary, who shall admit such by his license.

§12.9.09 Requirements for Admission and Institution.

(a) *Must be in Priest's Orders:*

No person shall be admitted by license or otherwise to be in Charge of any Cure of Souls in this Church or shall be instituted to any incumbency or benefice as either the Rector or Incumbent thereof and therein before such time as he shall be ordained Priest in accordance with the applicable provisions of Title XI of these Canons.

(b) *Must Have Sufficient Testimony of Good Life:*

No Bishop Ordinary of this Church shall admit by license or otherwise any Priest to be in Charge of any Cure of Souls in this Church or shall institute any Priest into any incumbency or benefice as either the Rector or Incumbent thereof and therein, not being canonically resident in his Jurisdiction, who has been ordained by or for any other Bishop Ordinary not of his Jurisdiction, or who comes from another Diocese or other Jurisdiction of this Church or of a Church in which this Church is in formal or canonical Communion, except such Priest first show unto that Bishop Ordinary his Letters of Orders or

other such canonical documents, and bring him testimony, in Letters Dimissory, from the Bishop Ordinary of the Jurisdiction of whence he has come, of his honesty, ability, and conformity to the Doctrine, Discipline, and Worship of this Church, if such be applicable, together with letters testimonial of his former good life, conversation, and behaviour, if that Bishop Ordinary shall require it, from three (3) Priests who either have the Charge of a Cure of Souls or are beneficed in the Jurisdiction of whence such Priest has come, countersigned by the Bishop Ordinary of the same; and, lastly, such Priest shall appear on due examination to be of sufficient learning, especially if such Priest had been dispensed under the provisions of Section 11.10.05 or some other similar provision.

(c) *Grounds for Refusal:*

A Bishop Ordinary of this Church may refuse to admit any Priest to the Charge of a Cure of Souls or to institute any Priest into any incumbency or benefice as Rector or Incumbent:

(i) if, at the date of proposed appointment, the Priest has been less than two (2) complete years in Priest's Orders, unless he be dispensed therefrom by that Bishop Ordinary, or

(ii) on the ground that the Priest is unfit for the discharge of the duties of a benefice or an incumbency or Cure of Souls by reason of physical or mental infirmity or incapacity or advanced age, pecuniary embarrassment of a serious character, grave misconduct or neglect of duty in an ecclesiastical office, evil life, having by his conduct caused grave scandal concerning his moral character since his ordination, or having, with reference to the appointment, been knowingly party or privy to any transaction or agreement of a simoniacal nature as set forth in Canon 11.4, or

(iii) on the ground that after due examination and enquiry, that Bishop Ordinary be not satisfied that the Priest is duly qualified in either the sufficiency of character or attainments to minister in that place or that such Appointment, in that Bishop's considered opinion, would not be pastorally advisable or in the best interests of the Church, or both.

§12.9.10 Satisfaction as to Stipends and Allowances.

Before making any Appointment of a Rector or Incumbent to a Parish, Congregation, or other such Cure as set forth in Section 17.1.03, the Bishop Ordinary of that Jurisdiction shall secure evidence satisfactory to himself that such Parish, Congregation, or other Cure is able and willing to provide the necessary stipend and allowances as set forth in Canon 21.12 in addition to meeting its other regular financial obligations.

As to any Congregation, Mission, or other such Cure as set forth in Section 17.1.04, the Bishop Ordinary shall only need to be satisfied that such Cure will be able to meet its financial commitments made to any such proposed Rector or Incumbent or Priest-in-Charge in addition to meeting its other regular financial obligations.

CANON 12.10. INSTITUTION AND INDUCTION.

§12.10.01 Due Notice of Intention to Institute.

No Bishop Ordinary shall institute any Priest into the incumbency or benefice of any Parish, Congregation, Mission, or other such Cure as Rector or Incumbent thereof and therein within or otherwise subject to his Jurisdiction until the expiration of one (1) month after due notice, in the prescribed manner, that he proposes to institute such Priest therein has been served on the Churchwardens of that Cure; which notice shall be published by the Churchwardens in the manner prescribed for notices of Parish Meetings in that place.

§12.10.02 Taking of Order and Canonical Provision for Institution.

After the expiration of one (1) month from the serving of such notice on the Churchwardens, the Bishop Ordinary, as speedily as may be, shall proceed to the Institution of the Priest into the incumbency or benefice.

§12.10.03 Office of Institution.

The Bishop Ordinary of each Diocese or other Jurisdiction of this Church, when he gives Institution, shall use the Form provided for that Service in either the 1928 American or 1962 Canadian editions of the *Book of Common Prayer*, unless provision otherwise is made in accordance with the Constitution of this Church

§12.10.04 Letter of Institution.

The form of the Letter of Institution to be used in this Church shall be that set forth on page 569 of the 1928 American edition of the *Book of Common Prayer* and none of the paragraphs thereof shall be deleted or omitted therefrom.

§12.10.05 Taking of Institution.

Every Bishop Ordinary shall endeavour to take the Service of Institution himself in the Church of the benefice or incumbency, but if he for some grave or urgent cause be unable to give Institution himself, he shall delegate authority to do so by Letters Mandatory to the Archdeacon, Rural or Regional Dean, or some other such commissary of that Jurisdiction in Holy Orders to give the same on his behalf and in his name, and in his place and stead.

§12.10.06 Canonical Process of Institution and Reading of Letter of Institution.

The Bishop Ordinary, or his deputy who shall be the Institutor in his place and stead, when he gives Institution in such Service, shall read aloud to all the Words of Institution from the written Instrument as set forth in Section 12.10.04, which written Instrument shall have the Hand and Episcopal Seal of that Bishop appended thereunto; and during the reading thereof, the Priest who is to be instituted shall kneel before the Bishop or his deputy and shall hold the Seal thereof in his right hand.

After which, the Bishop Ordinary or the Institutor shall deliver into the hands of the Priest so instituted the Letter of Institution and, if the Institutor be the Bishop, he shall say the following:

"Accept this Charge which is mine and thine, In the Name of the Father, and of the Son, and of the Holy Ghost. Amen."

§12.10.07 Induction.

Immediately following upon Institution as set forth in Section 12.10.06, one of the Churchwardens or other such Officer of that Parish, Congregation, Mission, or other Cure, shall "in open view" deliver into the hands of the new Rector or Incumbent the keys of that Church, inducting him thereby into the temporalities of that Parish, Congregation, Mission, or other such Cure by livery of seisin *per clavem,*[152] as set forth in the Letter of Institution on page 569 of the 1928 American edition of the *Book of Common Prayer* and in Section 12.10.04.

§12.10.08 Canonical Effects of Institution or Admission.

Upon Institution or Admission by the Bishop Ordinary or his deputy, the Priest shall receive the Ecclesiastical Office of Rector or Incumbent or Priest-in-Charge, whichever is applicable, and he shall have the canonical possession of the Charge of the Spiritualities and the Cure of Souls of that Parish, Congregation, Mission, or other Cure as well as be lawfully and canonically possessed of the Spiritual Jurisdiction therein and thereof, subject to the Authority of the Bishop Ordinary of that Diocese or other Jurisdiction and as provided in these Canons.

By such Institution or Admission, the Priest shall have the exclusive control and direction of the ordering of the Services of the Church, the administration of the Sacraments, and all other such ordinances, the Sunday-school and other religious education, the music, choir, and organ, and all other matters of or within that Cure subject to his Spiritual Jurisdiction and Authority and appertaining to the same, subject to the Authority of the Bishop Ordinary of that Diocese or other Jurisdiction and as provided in these Canons.

Such Rector, Incumbent, or Priest-In-Charge has, by virtue of his Office, the exclusive right to allow or consent to any other Clergymen of this Church, not being his Bishop Ordinary or an Official or Deputy of that Bishop acting as such, either to officiate or otherwise to minister within the limits of his Charge and Cure; no other Clergyman shall be permitted to officiate or minister therein except as be allowed or provided in these Canons.

§12.10.09 Canonical Effects of Induction.

Upon Induction as set forth in Section 12.10.07, the Rector or Incumbent of a Parish, Congregation, Mission, or other such Cure of this Church shall have confided to

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[152] Livery of seisin *per clavem* by delivery of the key to the Rector or Incumbent signifies the transfer of use and possession only, but not legal title or ownership, so long as he remains the Rector or Incumbent of that Cure as set forth in Section 12.10.09 *infra*.

his trust [153] and safe-keeping the possession of and the exclusive use, management, and control for all ecclesiastical and spiritual purposes, employment, and use of the Church edifice, the other Parish buildings, the Churchyard and grounds, and all other buildings of the Cure used for ecclesiastical purposes, and together with the appurtenances, ornaments, and furniture thereof and appertaining thereto, and such possession, use, management, and control appertains to and in him only during his term of tenure as Rector or Incumbent thereof by virtue of his Office and while and so long as he remains Rector or Incumbent of that Parish, Congregation, Mission, or Cure,[154] and upon such Priest's vacation of his Office as Rector or Incumbent of that Cure or otherwise ceasing to hold such Office, the possession, with the exclusive use, management, and control, which appertained to and in him by virtue of his Office as Rector or Incumbent, shall cease and determine.

The Churchwardens shall have custody of the Church and such other property under the Rector or Incumbent and subordinate to his authority.

Such possession for ecclesiastical purposes does not and shall not affect the title or ownership of the temporalities of a Parish, Congregation, Mission, or other such Cure, yet during such an incumbency, the Rector or Incumbent is seized of parson's freehold [155] therein and as such shall enjoy the rights of that freehold therein. Therefore, no property of that Cure can be alienated or encumbered or any of the property rights of the Rector or Incumbent be impaired without his consent thereto. Likewise neither can he of his own volition alone alienate or encumber the property or any of the property rights thereto.

No Rector or Incumbent has the right, power, or authority to incur, or contract any debt or other such liabilities binding upon such Parish, Congregation, Mission, or other such Cure, or upon the Select Vestry or Trustees thereof or such other authority legally authorised to act in the premises or in any other way that shall render the property of that Cure legally liable for any payment thereof without the express concurrence of the Select Vestry or Trustees thereof or other such authority.

§12.10.10 Vestry.

Wherever in this Canon and elsewhere In these Canons, the terms 'Vestry' or 'Vestries' shall be used or employed, such usage or employment shall be deemed to refer only to what is otherwise known and designated respectively as a 'Select Vestry' or 'Select Vestries' and shall not be deemed, in any wise, as referring to an Annual Parish Meeting' or 'Meetings', sometimes called a 'General Vestry', save wherein specifically so designated.

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[153] The Legal and Canonical term 'trust' used herein is not used nor meant to be used in the common law sense of 'express trust' as in *Jones v. Wolf,* 443 U.S. 595 (1979).

[154] *Lynd v. Menzies,* 33 N.J.L. Reps. (4 Vroom) 162. (1868). See also discussion in *American Church Law*, by E.A. White, (1898), pages 256- 264; and *Annotated Constitution and Canons for the Government of the Protestant Episcopal Church in the United States of America,* Vol. II by E.A. White, 2nd Ed., Revised, 1954, by JA. Dykman, (1954), pages 159-161.

[155] *Terrett et al v. Taylor et al,* 13 U.S. (9 Cranch) 43, at 46. (1815). See also *Jennings v. Scarborough et al.,* 56 N.J.L. Reps. 401 (1894). The 'parson's freehold' is a special form of fee simple determinable.

CANON 12.11. TERM OF TENURE.

§12.11.01 Rectors and Incumbents.

A Rector or Incumbent, not being a Priest-in-Charge, who shall be lawfully and canonically elected, instituted, inducted, and beneficed into a Parish, Congregation, Mission, or other such Cure, and of which he shall have the Charge thereof and the Cure of Souls therein, shall have the term of tenure thereof until such time as he shall retire, resign, or die or be removed canonically or the Pastoral Relation be canonically dissolved by the Bishop Ordinary as provided in these Canons.

§12.11.02 Priests-in-Charge.

A Priest-in-Charge, who shall have been canonically and lawfully admitted by License of the Bishop Ordinary into a Parish, Congregation, Mission, or other such Cure, and of which he shall have the Charge thereof and the Cure of Souls therein, shall serve as such at the pleasure of the Bishop Ordinary and as provided in these Canons and of the Canons of that Diocese or other Jurisdiction.

§12.11.03 Curates or Assistant Ministers.

A Curate, Assistant Minister, Stipendiary curate, or Non- Stipendiary Curate, by whatsoever description designated, serves as such at the pleasure of the Rector, Incumbent, or Priest-in-Charge to whom he shall be assistant and, therefore, his dismissal shall rest with that Rector, Incumbent, or Priest-in-Charge of that place, unless the Bishop Ordinary of that Jurisdiction shall have revoked his license as elsewhere provided in these Canons.

Upon the resignation, retirement, death, or canonical removal of the Rector, Incumbent, or Priest-in-Charge of a Parish, Congregation, Mission, or other such Cure, the tenure of the Office of any Assistant Minister or any Curate therein shall cease and determine.

CANON 12.12. DISSOLUTION OF THE PASTORAL RELATION.

§12.12.01 Rector or Incumbent not to Resign without Consent of Vestry or Bishop.

A Rector or Incumbent, not being a Priest-in-Charge, may not resign the Incumbency or Benefice of his Parish, Congregation, or other such Cure of which he is such, and wherein he is canonically and lawfully elected, instituted, inducted, and beneficed, without the consent of the Parish, Congregation, or other such Cure, or its Churchwardens and Vestry, or its Trustees or other such authority duly authorised to elect a Rector or Incumbent, or whomever may be authorised to act in the premises, or without the consent of the Bishop Ordinary of that Jurisdiction to whom such resignation shall be

addressed, with due notification of such to the Churchwardens and Vestry, or Trustees, or other such authority duly authorised to elect a Rector or Incumbent of that Cure.

§12.12.02 Rector or Incumbent not to be Removed against his Will.

No Rector or Incumbent, not being a Priest-in-Charge, who shall be canonically and lawfully elected, instituted, inducted, and beneficed into a Parish, Congregation, or other Cure, and of which he shall have the Charge thereof and the Cure of Souls therein, may be removed therefrom by that Parish, Congregation or other Cure, or the Churchwardens and Vestry thereof, or its Trustees or other such authority specified in Section 12.12.01, or by the Bishop Ordinary of that Jurisdiction, against the will of such Rector or Incumbent, except by due canonical process as provided in these Canons.

§12.12.03 Consent to Resignation withheld by the Bishop.

The Bishop Ordinary of any Diocese or other Jurisdiction of this Church may accept the written resignation of any clergyman under his jurisdiction, and subject to his Authority as Ordinary, from any appointment, incumbency, benefice, office, or dignity ecclesiastical held by such Clergyman within or of that Bishop's Jurisdiction or Authority as Ordinary, provided that all other canonical consents or conditions necessary have been obtained.

If the Bishop Ordinary shall decline to accept such resignation, the applicant may appeal to the Metropolitan of that Province, who shall either accept or decline such resignation as shall appear just and proper to him in the circumstances and in the best interests of the Church.

§12.12.04 Mode of Settling Differences.

(a) If for any urgent reason a Rector or Incumbent, not being a Priest-in-Charge, of a Parish, Congregation or other Cure, or if the body of any such Cure described in Section 12.12.01 wherein that Priest is canonically and lawfully elected, instituted, inducted and beneficed, and such Cure be committed to his Charge, shall desire a separation and dissolution of the pastoral relation and all sacerdotal connection, notice in writing of such desire shall be given by either party to the Bishop Ordinary of that Jurisdiction.

(b) The Bishop Ordinary shall take into consideration any difference or disagreement between the parties, or any other circumstances which may be claimed to warrant a dissolution of the pastoral relation in the interests of the Church; and, in the event of the Bishop Ordinary being unable by his Godly judgement to settle such difference or disagreement or to put an end to any difficulty which may have arisen or to effect an amicable settlement between the parties, he shall then proceed to ask the advice and consent of the Priest members of his Council of Advice, and, proceeding with their aid and counsel in tribunal, shall be the ultimate arbiter and judge within that Jurisdiction. The decision to convene such a tribunal shall be conveyed in writing promptly to the parties.

(c) No fewer than ten (10) days notice of the hearing by the Bishop Ordinary, with the assistance of the Priest members of his Council of Advice, shall be given in writing to both parties, who may be represented by legal counsel.

(d) The proceedings of such a hearing before the Bishop Ordinary shall be as nearly as possible similar to those provided in respect of the Consistory Court or Diocesan Court of the Ordinary of that Jurisdiction, and shall provide for examination of all witnesses and enquiry into all circumstances relating to the differences.

(e) If at any time after notice in writing has been given to the Bishop Ordinary, as set forth in Sub-section (a) of this Section, it shall appear to the Bishop that a scandal is likely to arise from the Rector or Incumbent continuing to perform the Services of the Church while the differences are being investigated, the Bishop Ordinary may cause a notice to be served on the Rector or Incumbent inhibiting him from performing any Services of the Church either within the Diocese or other Jurisdiction of the Bishop Ordinary or elsewhere in this Church, during the investigation or until the Bishop shall withdraw the inhibition. During the time of such inhibition, the Bishop Ordinary may appoint another Clergyman to supply the place of the inhibited Clergyman.

(f) The judgement following the hearing before the Bishop, which shall be made with all convenient speed, shall be either that the pastoral relation between the parties shall cease and determine at a time and upon condition and terms therein specified, or that the relation shall not be terminated; and such judgement shall be binding upon both parties.

If at the hearing, the Bishop, with the advice and consent of the Priest members of his Council of Advice, shall decide that the term of tenure of the incumbency or benefice of that Rector or Incumbent shall cease, the Bishop shall notify the Rector or Incumbent of such decision in writing, either personally or by registered letter to his last known place of abode; and at the expiration of three (3) months from the serving or sending of such notice that Parish, Congregation or other Cure, the incumbency or benefice thereof shall become vacant, provided that no appeal has been taken within three (3) months from the rendering of such decision.

(g) In the event of the failure or refusal of either party to comply with the terms of such judgement, the Bishop Ordinary may impose such penalties as are appropriate under the laws ecclesiastical, provided that no appeal has been taken by the party.

The Bishop Ordinary may

(i) in the case of a Rector or Incumbent neglecting or refusing to obey a judgement made under the provisions of this Section, suspend such Clergyman from the exercise of his Priestly Office and Ministry and proceed to punish him as for contumacy and disobedience of the lawful command of the Bishop as provided in Canon 10.1; or

(ii) in the case of a Vestry or Trustees or other such authority as set forth in Section 12.12.01, recommend to the Synod of that Diocese or other

Jurisdiction that the union of the Parish, Congregation, or other Cure with that Jurisdiction shall cease until they have complied with his judgement, or the Bishop may impose interdiction upon that Parish, Congregation or other Cure, or both.

(h) In the case of the regular and canonical dissolution of the connection between a Rector or Incumbent and his Parish, Congregation, or other such Cure, under the provisions of this Canon, the Bishop Ordinary of that jurisdiction shall direct the Secretary, by whatsoever description designated, of that Diocese or other Jurisdiction to record the same.

CANON 12.13. APPOINTMENT OF CURATES AND ASSISTANT MINISTERS.

§12.13.01 Right to Nominate and Appoint.

The right to nominate and appoint any Clergyman of this Church as an Assistant Minister, Stipendiary Curate, or Non-Stipendiary Curate shall rest with and be vested in the Rector or Incumbent of a Parish, Congregation, Mission, or other such Cure to which he shall be appointed after consultation with the Churchwardens of the same.

§12.13.02 Consent of the Bishop.

(a) The name of the Clergyman whom it is proposed to be so appointed shall be forwarded and made known to the Bishop Ordinary of that Diocese or other Jurisdiction, and the Bishop Ordinary shall be given sufficient and adequate time, if need be, to consult with the Rector or Incumbent, Churchwardens, and Vestry or other such authority legally authorised to act in the premises of such Parish, Congregation, Mission, or other Cure regarding such proposed Clergyman.

(b) Before undertaking the approval of such a proposed appointment, the Bishop Ordinary of that Jurisdiction shall be satisfied that the proposed Clergyman is duly qualified and fit to minister therein as set forth in Section 12.9.09, and meets the conditions thereof.

(c) Also, before approving such Assistant Minister or Stipendiary Curate nominated for the appointment, the Bishop Ordinary shall be satisfied that provision has been made by the Vestry or other authority for the salary or stipend of such Assistant Minister or Stipendiary Curate as set forth in Canon 21.12, and that such will not impair the other financial obligations of that Cure.

§12.13.03 Need of Licence from the Bishop.

No such Clergyman may be appointed as an Assistant Minister, Stipendiary Curate, or Non-Stipendiary Curate without the prior consent of the Bishop Ordinary and before such Bishop shall issue him a License and shall grant him authority to perform such Office in the place to which he is to be appointed.

§12.13.04 Authority of the Rector, Incumbent, or Priest-in-Charge.

All Assistant Ministers, Stipendiary Curates, Non-Stipendiary Curates, and other Ministers, by whatsoever description designated, in any Parish, Congregation, Mission, or other such Cure shall be regarded as Assistants to the Rector, Incumbent, or Priest-in-Charge thereof, and under his direction, and subject to his authority as such.

§12.13.05 Right of the Bishop to Appoint.

The right to appoint an Assistant Minister, Stipendiary Curate, or Non-Stipendiary Curate to any vacant Cure in a Diocese or other Jurisdiction shall rest with and be vested in the Bishop Ordinary of the same upon consultation with the Priest-in-Charge, if there be such, and with the Churchwardens and Vestry thereof or other such authority legally authorised to act in the premises.

In such instances the Bishop Ordinary shall be required, before any such appointment be made and his Licence issued, to observe the conditions set forth in Sub-sections (b) and (c) of Section 12.13.02.

CANON 12.14. LICENCE AND PERMISSION.

No Clergyman of this Church shall perform any ecclesiastical function or duty or shall exercise his Office and Ministry or perform any Function thereof unless the Bishop Ordinary of that Diocese or other Jurisdiction shall have conferred such authority upon him either by instituting him to an incumbency or a benefice, or by admitting him to serve within that Jurisdiction by Licence under his Hand and Seal Episcopal, or by giving him written permission to officiate within the same, except as otherwise provided in the Constitution of this Church or these Canons, or both.

§12.14.01 Licensing Ministers under Seal.

A Licence as described in the Preface to this Canon, granted by a Bishop Ordinary of a Diocese or other Jurisdiction of this Church under his Hand and Seal Episcopal to any Clergyman of or otherwise subject to the authority of this Church to serve or officiate within his Jurisdiction, shall be in the Form either:

(a) of a General Licence to preach or otherwise perform the Functions competent to this Order and to exercise his Office and Ministry subject to the provisions of these Canons and the laws ecclesiastical, or

(b) of a Specific or Special Licence to exercise his Office and Ministry only in some particular place, or Cure, or Deanery or Archdeaconry, or other Jurisdiction, or

(c) of a Limited Licence wherein the authority to exercise the Office and Ministry of that Clergyman may be limited or circumscribed in accordance with the provisions set forth in Section 11.10.05, or otherwise restricted, or

(d) of a Licence to perform some particular Office.

§12.14.02 Those not of that Bishop's Jurisdiction.

No Bishop Ordinary of this Church shall issue any Licence to any Clergyman as provided in Section 12.14.01 that be not canonically resident in his Jurisdiction or otherwise subject to his authority as Ordinary unless that Bishop Ordinary first complies with and is satisfied according to the provisions set forth in Sub-sections (b) and (c) of Section 12.9.09 as may be applicable in that instance.

§12.14.03 Authority to Minister by Virtue of Office.

The authority to exercise the Office of their Ministry and the right of a General Licence are conferred upon and deemed possessed thereof by the following in each Diocese or other Jurisdiction of this Church, subject to these Canons, by virtue of their Ecclesiastical Office:

(a) Bishops having or holding a Bishopric or Episcopal Office of or in that Jurisdiction or being canonically resident therein;

(b) Rectors and Incumbents instituted into their respective incumbencies or benefices by Letter;

(c) Vicars General in Spirituals thereof;

(d) Archdeacons and Deans thereof;

(e) Regional or Rural Deans thereof;

(f) Vicars Delegate thereof;

(g) the Dean of the Cathedral Church and the Canons Principal and the Canons Minor thereof;

(h) a Dean or Provost of any Collegiate Church and the Canons thereof;

(i) Canons to the Ordinary; and

(j) Superiors in Holy Orders of any Religious Order, Community, or Institute in respect of their subjects and in their Houses.

§12.14.04 Revocation of Licence.

Any Bishop Ordinary of this Church may revoke summarily, and without further process, any Licence granted under his Hand and Seal to any Clergyman within his Diocese or other Jurisdiction, save as set forth in Section 12.14.03, for any cause which shall appear to him to be good and reasonable, after having given such Clergyman sufficient opportunity of showing reason to the contrary: Provided that any such Clergyman may, within one (1) month after service upon him of such revocation, appeal to the Metropolitan of that Province, who shall either confirm or annul such revocation as to him shall appear just and proper in the circumstances and in the best interests of the Church.

§12.14.05 Permission.

Every Bishop Ordinary of a Diocese or other Jurisdiction of this Church may issue a Letter of Permission to any Clergyman of or otherwise subject to the authority of this Church granting such Clergyman authority to exercise the Ministry of his Office within the Jurisdiction of that Bishop Ordinary, and upon any conditions or restrictions therein so stipulated in such Letter of Permission.

Such written permission shall be renewed annually and shall be in force and effect at the pleasure of that Bishop Ordinary.

CANON 12.15. CHARGE OF PARISHES, CONGREGATIONS, MISSIONS, OR OTHER SUCH CURES AND THE CURE OF SOULS.

§12.15.01 Rector, Incumbent, or Priest-in-Charge of each Cure.

Every Parish, Congregation, Mission, or other such Cure within or otherwise subject to the authority of this Church shall, as much as possible, have a Rector, Incumbent or Priest-in-Charge who, being in Priest's Orders, shall have the Charge of the same and the Cure of Souls therein and also shall be either beneficed therein by Letter of Institution from the Bishop Ordinary of that Diocese or other Jurisdiction or be admitted thereto by License of such Bishop Ordinary and hold authority thereby to officiate and minister therein.

§12.15.02 Priest-in-Charge.

In cases where the Incumbent be a Priest-in-Charge, he shall perform his duties directly under the authority of that Bishop Ordinary.

§12.15.03 Dependent Congregations.

In every Congregation, Mission, or other such Cure within or otherwise subject to the authority of this Church that be dependent or otherwise meets the criteria set forth in Section 17.1.04, the Rector, Incumbent, or Priest-in-Charge shall have the Charge of that Congregation and the Cure of Souls therein under and subject to the direct authority of that Bishop Ordinary.

§12.15.04 Vacant Cures.

The Bishop Ordinary of each Diocese or other Jurisdiction of this Church shall have the Charge of and the Cure of Souls therein of all vacant Parishes, Congregations, Missions, or other such Cures within and under his Jurisdiction and Authority as Ordinary and be the Minister-in-Charge thereof.

TITLE XIII – OF THE OATHS AND SUBSCRIPTIONS OF THE CLERGY

CANON 13.1. DECLARATIONS AND OATHS REQUIRED OF PRIESTS AND DEACONS.

Every person about to be ordained Priest or Deacon shall, before ordination, in the presence of the Bishop of whom he is to be ordained, and every person about to be licensed to any curacy, or to be instituted to any benefice or incumbency, shall before obtaining such Licence or being so instituted, make and subscribe the following Declarations and take the following Oaths:

§13.1.01 Declaration of Conformity.

I, *A.B.*, do believe the Holy Scriptures of the Old and New Testaments to be the Word of God, and to contain all things necessary to Salvation; and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of the Anglican Catholic Church.

§13.1.02 Declaration of Submission to the Constitution and Canons of the Holy Synod, Provincial Synod, and Diocesan Synod.

I, *A.B.*, do willingly subscribe to and declare that I assent to, and will obey and abide by the Constitution and Canons which have been, or shall be, from time to time, passed by the Holy synod or the Provincial Synod, or the Synod of the Diocese (or other Jurisdiction) of *N.*

§13.1.03 Oath of Canonical Obedience of Priests and Deacons to their Diocesan Bishop or Bishop Ordinary.

I, *A.B.*, do swear that I will pay true and Canonical obedience to the Lord Bishop of *N.* and his Successors in all lawful and honest commands. So help me God.

(This is said even if the ordaining Bishop is but the Episcopal Visitor. The oath is to the lawful Bishop of that Church and See or Jurisdiction, and not to the Ordainer, unless he be such.)

§13.1.04 Administration at Ordinations.

These Declarations and Oaths shall be administered publicly during the services for the ordering of Deacons and Priests, in the accustomed place after the *Si Quis* with such other Declarations and Oaths as are prescribed by Canon, or in some other accustomed place in that Service.

§13.1.05. Other Oaths.

Other Oaths may be prescribed by Diocesan or Provincial Synods where local conditions or circumstances so require.

§13.1.06. When Reaffirmation of Oaths may Suffice.

In cases of the granting of a Licence to a Clergyman who has previously in the same Diocese or other Jurisdiction signed the Declarations and taken the Oaths required for ordination, or institution or institution and collation to any Office, it shall suffice that the following be signed by the Licensee: "I hereby reaffirm the Declarations and Oaths which I have heretofore made and taken in the Diocese of *N*.", or as the case may be.

CANON 13.2. DECLARATIONS AND OATHS REQUIRED OF BISHOPS.

Every person about to be ordained and consecrated Bishop shall before such ordination and consecration in the presence of his consecrators by whom he is about to be ordained and consecrated, and every person whose election to any Bishopric is to be confirmed, or who is to be translated, or to be instituted and invested to any Bishopric, or enthroned and installed, shall make and subscribe the following Declarations and take the following Oaths at his ordination and consecration, institution, enthronement or translation as the case may be.

§13.2.01 Declaration of Conformity.

I, *A.B.*, do believe the Holy Scriptures of the Old and New Testaments to be the Word of God, and to contain all things necessary to Salvation; and I do solemnly engage to conform to the Doctrine, Discipline, and Worship of the Anglican Catholic Church.

§13.2.02 Declaration of Submission to the Constitution and the Canons of the Holy and Provincial Synods and Diocesan Synods.

I, *A.B.*, do willingly subscribe and declare that I assent to, and will obey and abide by the Constitution and the Canons which have been or shall be, from time to time, passed by the Holy and Provincial Synods of the Anglican Catholic Church and the Synod of the Diocese (or other Jurisdiction) of *N*.

§13.2.03 Oath of Due Obedience to the Metropolitan .

In the Name of God, Amen. I, *A.B.*, chosen Bishop of the Church and See of *N*., do profess and promise to hold and maintain the Doctrine, Sacraments, and Discipline of Christ, as the Lord hath commanded in his holy Word, and as the Anglican Catholic Church hath received and set forth the same; and I do promise all due reverence and obedience to the Metropolitan of *N*. and to his Successors. So help me God through Jesus Christ.

In the case of others than the Diocesan, the phrase "*A.B.*, chosen Bishop of the Church and See of *N.*" shall be omitted and replaced by "*A.B.*, chosen Suffragan Bishop of the Diocese of *N.*" or "chosen Co-Adjutor or Assistant Bishop in the Diocese of *N.*" or "chosen Bishop of the Missionary Diocese", or as the case may be.

In the above forms, the full Christian and Surname of the Bishop-elect shall be used.

§13.2.04 Other Oaths.

Other Oaths may be prescribed by Diocesan or Provincial Synods where local conditions or circumstances may so require.

§13.2.05 Administration at Ordinations and Consecrations of a Bishop or at Institutions or Enthronements.

These Declarations and Oaths shall be administered publicly during the services for the ordination and consecration of a Bishop, or the institution and investure to any Bishopric or the enthronement and installation of a Bishop, or of a Metropolitan, or of the Primate.

CANON 13.3. PROMISE OF LOYALTY TO A PARTICULAR CHURCH.

Before the enthronement and installation of every Diocesan Bishop or Bishop Ordinary already a Bishop, or before the enthronement and installation of every Metropolitan of a Province or Primate of this Church, such Bishop, Metropolitan, or Primate shall be met at the entrance of the Church in that Service and be required to take this Oath to protect the rights, customs, liberties, and dignities of the Church in that place and of its Clergy and People as follows:

> In the Name of God, Amen. We, *A.B.*, by Divine Permission, Lord Bishop of the Church and See of (or Lord Archbishop of the Church and See of *N.* and Metropolitan of *N.* or Lord Archbishop of the Church and See of *N.*, Metropolitan of *N.*, and Primate of *N.*, (as the case may be), do solemnly swear true faith and allegiance to the Church (or Province or the Anglican Catholic Church, as the case may be), and that We will observe and protect the rights, customs, liberties, and dignities of the same and of its Clergy and People, and faithfully will defend them. So help Us God and these Holy Gospels.

CANON 13.4. DECLARATION AGAINST SIMONY.

§13.4.01 To be made by all before any Confirmation, Institution, Translation, Collation, or Induction.

Every person whose election to any Metropolitical Office or Bishopric is to be confirmed, or who is to be ordained and consecrated Bishop, or translated to any other

Bishopric, or to be ordained Priest or Deacon, or to be instituted and collated to any Deanery, Archdeaconry, or Canonry, or to be instituted and inducted or appointed to any benefice, incumbency, Congregation, Parish, or Mission, or other Charge or Cure of Souls, or to serve in any place, shall first in the presence of the Metropolitan or Bishop by whom his election is to be confirmed, or in whose Province such Bishopric is situated, or by whom he is to be ordained, instituted, collated, inducted, or licensed, or before the Commissary of such Metropolitan or Bishop, make and subscribe this Declaration in the manner and form following, the same to be made by everyone whom it concerns in his own person, and not by proxy:

> I, *A.B.*, solemnly declare that I have not made, by myself or by any other person on my behalf, any payment, contract, or promise of any kind whatsoever which, to the best of my knowledge or belief, is simoniacal, touching or concerning the preferment of *N.*, nor will I at any time hereafter perform or satisfy in whole or in part any such kind of payment, contract, or promise made by any other without my knowledge or consent.

§13.4.02 Official Copies Thereof.

A signed and witnessed copy of the Declaration shall be preserved in the Journal of the Archbishop or Bishop before and in the presence of whom it was made and subscribed. If it is later found to have been made falsely, this document shall be considered sufficient grounds for Presentment and Trial of the person making this Declaration.

§13.4.03 Subscription by other Clergy and the Laity.

The same or similar Declaration shall also be required of all Clergy and Laity who are elected or appointed to any office or function in the Holy Synod, or any Province, Diocese, other Jurisdiction, Congregation, Parish or Mission of this Church, and a signed and witnessed copy thereof shall be preserved in the records thereof for at least ten (10) years.

TITLE XIV – OF THE RECEPTION OF CLERGYMEN FROM OTHER CHRISTIAN BODIES

CANON 14.1. RECEPTION OF BISHOPS OF CHURCHES NOT IN COMMUNION WITH THIS CHURCH.

Bishops ordained and consecrated as such in undoubted Catholic and Apostolic Churches not in formal or canonical Communion with this Church may be received as Bishops in this Church by the Metropolitan with the consent of two-thirds (2/3) of the College of Bishops of that Province.

CANON 14.2. RECEPTION OF CLERGY FROM CHURCHES NOT IN FORMAL OR CANONICAL COMMUNION WITH THIS CHURCH.

§14.2.01 Requirements for Reception as Clergymen.

No man shall be received as Bishop, Priest, or Deacon unless he meets respectively all the requirements for the ordination and consecration of Bishops or for the ordination of Priests or of Deacons in this Church.

§14.2.02 Ordination *sub conditione.*

Those Clergy acceding to this Church from the Protestant Episcopal Church in the United States of America or the Anglican Church of Canada, and who have been purportedly ordained according to the Proposed Book of Common Prayer of the Protestant Episcopal Church in the United States, or in the Protestant Episcopal Church in the United States since September 16, 1976, for the avoiding of all scruples and doubts, shall be conditionally ordained in order positively to supply what possibly may be lacking.

Those acceding from the Anglican Church of Canada who were purportedly ordained since November 1, 1975, or who were purportedly ordained prior to that date by rites other than those of the *Book of Common Prayer*, Canada, 1962, shall be also conditionally ordained.

The provisions of this Section shall apply to Clergy from other parts of the Anglican Communion which have also departed from Catholic Faith and Order and who have been ordained since the time of the departure of their jurisdictions.

§14.2.03 Undoubted Catholic Clergy.

All Priests and Deacons ordained as such in undoubted Catholic and Apostolic Churches may be received in their Orders by any Bishop Ordinary of this Church with the consent of his Council of Advice.

TITLE XV – OF THE CHRISTIAN FAMILY, MARRIAGE, AND THE SANCTITY OF HUMAN LIFE

CANON 15.1. THE SANCTITY OF HUMAN LIFE.

§15.1.01 Deliberate Abortion is Murder.

The defencelessness of the unborn entails a great responsibility on the part of every Christian, and especially on the part of each of his or her parents. The deliberate and wilful abortion, directly procured, of any unborn child at any time from the moment of conception, is always an act of grave sin not only by the person who procures the same, but also by such person or persons who effectuate the same or acquiesce therein.

§15.1.0 2 Deliberate Killing of the Deformed or Defective is Murder.

The direct, deliberate, and wilful killing of that which is born of any woman, whether such child be deformed, defective, misformed, unformed, or otherwise misshapen or monstrous, is likewise murder, for however imperfect such child may be, even if difficult to recognise outwardly as a child, It may be assumed to be human and having a human soul, for it is the offspring of human parents. Such child should be baptised, if necessary *sub conditione,* when it is still in the womb, and if it lives, such child should be again baptised conditionally, and ordinary means should be taken to preserve such child of life, nor shall it be licit to deprive such child of nourishment or take any other direct, deliberate, or wilful means to end or shorten the life thereof.

§15.1.03 Euthanasia is Murder.

This Church reaffirms that it is the Lord Who is the Giver of Life, and that the wilful, intentional, and direct taking of any innocent human life is murder, whether disguised as "euthanasia", or mercy-killing," or under any other name. This Church's affirmation of the Sanctity of Life excludes support for, encouragement of or advocating in favour of euthanasia or suicide, including any support, encouragement and advocacy for these measures in the context of otherwise licit discussion of decisions concerning the treatment of pain and the end of life.[156]

§15.1.04 Alleviation of Pain Allowed.

In keeping with traditional Catholic Moral Theology, it is licit to administer such drugs or treatment to the dying as to alleviate pain or to induce necessary sleep, all upon qualified and competent medical or nursing advice, but care must be taken to insure that the dying person is spiritually prepared before administering any such drugs or treatment,

[156] Amended by the XXIst Synod of the Original Province (Athens, GA, 2015) to condemn solicitation in favour of euthanasia or suicide.

and that the direct purpose and intention thereof is not to shorten life. Moreover, there is no absolute need to prolong life indefinitely when, in the considered judgement or opinion of qualified and competent medical or nursing personnel, it has been despaired of, especially if the life in question be vegetal or otherwise lack vital signs of human reaction. In the latter case above all, extraordinary or heroic means need not be employed or continued to sustain life, but the natural processes may licitly be allowed to take their course.

CANON 15.2. POWER OF THE CIVIL AUTHORITY.

Holy Church has universally upheld the sanctity of human life, and therefore this Church continues to condemn the wilful, intentional, and direct taking of innocent human life. Nevertheless such prohibition has never in Catholic Canon Law or Moral Theology disallowed, nor does this Church claim the power to disallow, the just exercise of the power of the Civil Authority to "restrain with the civil sword all stubborn evil doers," but admits that it "beareth not the sword in vain, for [it] is the minister of God, a revenger to execute wrath upon him that doeth evil"[157] and St. Thomas Aquinas expressly says of capital punishment lawfully administered, "such killing is not murder", allowing as the just cause for capital punishment "of an evil-doer" the fact that "it is directed to the welfare of the whole community".[158] This Church therefore recognises the right of an individual to defend himself with such force as may be necessary, and the right of the State both to defend itself against individual malefactors by putting them to death for heinous and grievous offences, and against its enemies in a just war in defence of the state and as a last resort, in which war it is lawful for Christian men, at the command of the lawful authority of the civil power, to bear arms and serve.

CANON 15.3. HOLY MATRIMONY.

§15.3.01 Indissolubility, Nature, and Purposes of Holy Matrimony.[159]

(a) Marriage has its roots and basis in God's plan for His created order. Among the essential features of that created order is that human beings are divided into two, distinct, and complementary biological sexes, one male and one female. Because these two sexes are genetically conditioned, they are immutable from conception. Much of each individual's spiritual, psychological, and physical life is a

[157] Romans 13:4; 1 Peter 2:13-14.

[158] Aquinas, *Summa Theologica,* IIa. IIae Quest. 64, art 2, art. 2.; Ia. IIae Quest. 96, art. 5.

[159] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to emphasize the Ecclesiastical Law of the Church that Holy Matrimony is solely between one man and one woman, in their sex as they were brought into this world by God.

product and reflection of his or her sex at conception. The occasional, extremely rare occurrences of genetic abnormalities in humans do not derogate from these truths, any more than do any other individual genetic or developmental defects. This Church utterly rejects and denounces as false teachings the propositions:

(i) that individuals may validly choose or alter their natural sexual identities; or

(ii) that it is either natural or healthy for an individual's sexual preference or sexual orientation to vary from the preference or orientation inherently appropriate to the individual's sex at conception.

(b) As a direct result of that immutable division into two and only two complementary sexes, and of the need to provide the most stable possible setting for the procreation and nurture of children, the marriage of men with women is in the first instance a matter of the law of nature, and all other levels of marriage begin with and build upon that natural law foundation.

(c) Because marriage is the foundational unit of all good societies and because all sound societies have a profound interest in the circumstances in which children are born and reared, among the very first issues that civil societies undertake to foster and regulate is that of marriage. This results in the addition to natural law marriage of a second level of civil law marriage. However, as St. Thomas Aquinas observed, when the civil law attempts to contradict or violate the natural law, the result is not true law but is instead a nullity. [160]

(d) The coming of our Lord Jesus Christ introduced a new incarnational principle into human life, as part of which He took several preëxisting customs, practices, and institutions and imbued them with a new and sacramental significance, making them direct covenant channels of God's Grace.[161] One of these institutions that He thus transformed was that of marriage, so that natural law marriages, and usually but not always civil law marriages, can, if they comply with the requirements of the sacramental system, become themselves Sacraments and covenanted channels of God's Grace. Thus Christian Marriage or Matrimony, which is both a Sacrament and a covenanted channel of divine Grace, has an essentially and fundamentally divine, religious, and ecclesiastical significance that transcends and, where necessary, supersedes both the institution of civil law marriage and any positive civil law that purports to contradict or violate the law of

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[160] Aquinas, *Summa Theologica* I-II:90:4. Added by the XXIst Synod of the Original Province (Athens, GA, 2015) to emphasize the foundation of marriage in the Ecclesiastical Law of this Church as opposed to any secular law.

[161] Official Footenote: "Grace", from the Latin *gratia,* means simply "the gift". In this context, the gift God is giving is His own Presence in the Sacrament and to the recipient of that Sacrament.

nature.[162] However, while Christian Marriage or Matrimony thus transcends civil law marriage, it is always grounded upon, and must comport with, natural law marriage.

(e) In accordance with the foregoing truths this Church affirms, according to our Lord's teaching, that Christian marriage is in its nature a union permanent and life-long, for better for worse, of one natural, biological man with one natural, biological woman, till death them do part, to the exclusion of all others on either side, for the procreation and nurture of children, for the hallowing and right direction of the natural instincts and affections, and for the mutual society, help and comfort which the one ought to have of the other, both in prosperity and adversity, and to that end each man and woman entering together into that union shall make and subscribe before the Solemnisation of Matrimony the following Declaration of Intention and Commitment to Holy Matrimony in the presence of the Officiating Clergyman and two (2) witnesses:

DECLARATION OF INTENTION AND COMMITMENT TO HOLY MATRIMONY.

We, *A.B.* and *C.D.*, desiring to receive the blessing of Holy Matrimony within the One Holy Catholic and Apostolic Church, do solemnly declare:

That we hold and accept Holy Matrimony to be a mystical and lifelong union of husband and wife, as it is set forth in the Form of Solemnisation of Matrimony in the *Book of Common Prayer,* and that this union forms an indissoluble Sacramental bond so long as we both shall live, which cannot be broken or dissolved by any action of civil authority;

That each of us is totally and unselfishly committed and bound to the other, calling continually upon the Grace of Almighty God and the power of the Holy Spirit to enable each of us, always and unconditionally, to extend to the other, joyfully and lovingly, the fellowship, support, encouragement, and understanding which is required for the fulfilment of the same;

That we know Holy Matrimony to be God's loving provision for the procreation (if it may be) and the gift and heritage of children, and for their physical, intellectual, moral, and spiritual nurture and upbringing in God's faith and fear, and for the safeguarding and benefit of society;

That we bind ourselves mutually to cleave unto the oneness of the flesh that is the Will of God, vowing to refrain from any form of sexual activity outside the bonds of this union;

That we are both jointly and individually committed to the Lordship of Jesus Christ, and we pledge ourselves unreservedly to seek His Will in all matters

[162] Official Footnote: This is a specific application of the general rule of divine supremacy over secular authority that was declared by our Lord when He taught that we are to render to the state authorities the things that are the state's but we are to render to God the things that are God's. *Cf.* St. Matthew 22:21; St. Mark 12:27; St. Luke 20:25.

affecting our family life, to hold Him in our hearts as the Head and centre of our family, and to call upon God the Holy Spirit to keep us in that obedience; and

That we do accept the Doctrine and Discipline of Holy Church in all things affecting our union, and do promise to seek the help and counsel of a Priest of the Church at any time when there is any threat to any aspect of our union, and before any action is taken that might cause irreparable or permanent damage to this relationship.

Dated: _____
Signed: _____
Witnessed: _____
Clergyman: _____

§15.3.02 Legal and Canonical Requirements.[163]

In temporal jurisdictions where the secular law concerning marriage may be applied without conflict with the laws of this Church, and where the secular law permits a civil marriage of one man with one woman to be accomplished simultaneously with the solemnization of Holy Matrimony, and where the enabling requirements of the secular law may be met without compromising the Ecclesiastical Law of this Church, an Officiating Clergyman of this Church may perform the civil union of one natural, biological man with one natural, biological woman.

The solemnization of Holy Matrimony being a Sacrament, every Officiating Clergyman of this Church shall ensure compliance with the Ecclesiastical Laws of this Church governing its administration. He shall have instructed the said man and the said woman seeking marriage in this Church's Doctrine of Marriage and the nature, meaning, and purpose of Holy Matrimony, and the need of God's Grace in order that they may discharge aright their obligations as Married persons or he shall have ascertained that they have both received such instruction from other Clergymen of this Church known by him to be competent and responsible.

§15.3.03 Human Sexuality.[164]

This Church believes and holds that God has immutably created each person at conception as either a male or a female. These two distinct but complementary biological sexes are not personal or social constructs but, instead, are biological facts that, taken together, reflect the image and likeness of God. As a result of this disposition, God intends males to mate with females and females to mate with males and any individual's contrary choice is a violation of God's plan, as well as a violation of natural law. A

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[163] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to authorize Clergy of this Church to perform civil marriage when such union complies with the Ecclesiastical Law of the Church that the marriage as well as the Sacrament of Matrimony unites one man with one woman; further amended by the XXIst Synod of the Original Province (Athens, GA, 2015) for clarity.

[164] Added by the XXIst Synod of the Original Province (Athens, GA, 2015) to emphasize the beliefs of this Church as to the importance of sex in the nature of God's image and design.

person who attempts to reject his or her biological sex thereby also rebels against God by rejecting God's image and God's design imparted at conception.

§15.3.04 Impediments to Marriage.

It shall be the duty and responsibility of every Clergyman of this Church before solemnising any marriage, or when application is made to him for matrimony to be solemnised in the Church or Chapel of which he is the Minister or allowing such matrimony to be solemnised therein, to enquire diligently and to determine, with due pastoral care and consideration, the right of the parties to contract a marriage or the solemnisation thereof according to the Discipline of the Church and the Laws Ecclesiastical, and these Canons, exercising care that none of the following impediments exist.

(a) *Diriment Impediments or* **Impedimenta Dirimenta**.

Without restricting the generality of the foregoing, the following in particular shall be deemed to be diriment impediments that if such exists or is present at the time of any purported marriage or has been placed or has obtained or existed before any such purported marriage and has not been removed or revoked or ceased to exist by the time of such solemnisation, they shall render such purported marriage wholly null and void *ab initio*:

(i) Consanguinity, whether of the whole or half blood, or of such other Kindred or Affinity as is contained in the following Table:

A man may not marry his

(A) Mother, **(B)** Step-mother, **(C)** Mother-in-law, **(D)** Daughter, **(E)** Step-daughter, **(F)** Daughter-in-law, **(G)** Sister, **(H)** Grandmother, **(I)** Grandfather's Wife, **(J)** Wife's Grandmother, **(K)** Grand-daughter, **(L)** Wife's Grand-daughter, **(M)** Grandson's Wife, **(N)** Aunt, **(O)** Niece;

A woman may not marry her

(A) Father, **(B)** Step-father, **(C)** Father-in-law, **(D)** Son, **(E)** Step-son, **(F)** Son-in-law, **(G)** Brother, **(H)** Grandfather, **(I)** Grandmother's Husband, **(J)** Husband's Grandfather, **(K)** Grandson, **(L)** Husband's Grandson, **(M)** Grand-daughter's Husband, **(N)** Uncle, **(O)** Nephew.

(ii) Defective intention or conditional consent by either one or both parties by a positive act of the will to exclude the marriage itself or any right to the conjugal act or any essential property of marriage or any of the ends belonging to marriage or to frustrate or thwart any part of its purposes or fulfilment.

(iii) Mistake or fraud concerning the identity of either party, or as to the nature of the ceremony, or serious personal or moral defect.

(iv) Lack of Intent on the part of either party to enter into the marriage as a lifelong indissoluble contract with the other party before God.

(v) Concurrent contract inconsistent with the contract constituting canonical marriage.

(vi) Mental deficiency or incapacity of either party or serious defect of personality or psychological factor present sufficient to prevent the exercise of intelligent choice, rational judgement, or the want of true consent.

(vii) Insanity or serious mental illness or deficiency of either party.

(viii) Failure of either party to have reached the age of puberty.

(ix) Impotence, rejection of sex at conception by mental or physical means, [165] sexual perversion or inversion, homosexuality, or the existence of venereal disease or sterility known in either party and undisclosed to the other.

(x) Force or threats of force, duress or other coercion or constraint in order to extort or obtain matrimonial consent against the free will of either party against the other, or by any and all third persons against either or both of the parties.

(xi) Facts that would make the proposed marriage bigamous.

(xii) Prior marriage of either of the parties, the original partner remaining still alive, unless the Church has determined by due canonical procedure that the former union was null and void *ab initio* and not a true and valid marriage.

(xiii) Pregnancy by other than the intended husband and that fact suppressed from or undisclosed to the man.

(xiv) Lack of any consent which must be freely given and received.

(xv) Proposed marriage that would constitute an offence against the Moral Teaching of the Church or would be the result of an offence against the Divine Law.

(xvi) Intent to enter into or to continue any practice of concubinage or cohabitation or immoral conduct that would constitute an offence against the vows or bonds of matrimony.

(xvii) Intent on the part of either party not to consummate the marriage or to deprive the marriage union of the opportunity for procreation or to deprive any child conceived by the union of its right to life.

(b) *Prohibited Impediments or* **Impedimenta Prohibitiva:**

Without restricting the generality of the preface to this Section, the following in particular shall be deemed to be prohibited impediments to the Solemnisation of Matrimony:

(i) failure of at least one party to be a Communicant in good standing of this Church, and

(ii) failure of either party to be a baptised and practising Christian.

[165] Added by the XXIst Synod of the Original Province (Athens, GA, 2015).

§15.3.05 Other Requirements.

No Clergyman of this Church shall solemnise any marriage unless the following procedures have been complied with:

(a) The intention of the parties to contract marriage shall have been signified to the Clergyman at least thirty (30) days before the service of solemnisation, except a special or common License and Faculty have been granted by the Metropolitan or Bishop as hereafter specified, and for good and sufficient cause in that Metropolitan's or Bishop's opinion.

(b) Where it is the responsibility of the Minister to do so, he shall assure himself that all the prerequisite notices, consents, licences, and forms as required by the civil law of the Jurisdiction in which such Marriage is to be solemnised, have been given, obtained, and completed. He shall also assure himself that the Banns of the persons to be married have been published openly as required by Canon or in lieu of such publication, a license has been obtained from the proper ecclesiastical authority. Otherwise, the Banns of Marriage shall be published openly in the Church on three (3) consecutive Sundays during Divine Worship, after the accustomed manner. Where either or both of the parties are accustomed to worship in a Church or Churches other than their own Parish Church, the Banns may be published in the Church or Churches in which they worship.

After the final publishing, their publication shall be recorded as required, and if the marriage is to be solemnised elsewhere, the appropriate certificate shall be forwarded to the officiating Minister.

The publication of Banns shall not exempt the parties from obtaining a license to marry where the Civil Law requires them to do so.

(c) There shall be present at least two (2) witnesses to the solemnisation, both of whom shall sign as such in the appropriate Register or Registers as may be required by Canon of that Diocese or other Jurisdiction or Civil Law and by these Canons.

(d) The Clergyman shall record in the proper Register or Registers the date and place of the marriage, the names of the parties and their parents, the age of the parties, their residences, and their Church status.

§15.3.06 Special or Common Licences.

The Metropolitan of each Province and the Bishop of every Diocese or other Jurisdiction may grant a common Licence and Faculty for the solemnisation of matrimony without the publication of Banns or with less than thirty (30) days' notice to the officiating Clergyman as otherwise set out in Sub-section 15.3.04 (a), when in the Metropolitan or Bishop's opinion there be good and sufficient cause for the same, at a lawful time and place and in no wise in contravention of applicable Civil Law within the several areas of their Jurisdiction, and the Primate of this Church may grant a special License and Faculty for the same purpose or purposes and for good and sufficient cause throughout this whole Church, in no wise in contravention of applicable Civil Law.

§15.3.07 Clergyman may Decline to Solemnise.[166] .

It is and shall be within the discretion of any Clergyman of this Church to decline to solemnise any marriage.

§15.3.08 Times and Seasons for Marriage.

A marriage may not be solemnised at any unseasonable hour but only between sunrise and sunset, nor in the prohibited seasons, without a special License or Faculty from the Primate, or of the Metropolitan of the Province for good and sufficient cause in the Primate or Metropolitan's opinion. The prohibited seasons are from Advent Sunday to the Octave of the Epiphany, Septuagesima to the Octave of Easter, and Rogation Sunday through the Eve of Trinity Sunday.

It is licit at all times to contract marriage privately before the Clergyman and appointed witnesses, but never clandestinely or by stealth.

§15.3.09 Clergymen to Control the Service.

When matrimony is to be solemnised, it belongs to the Clergyman to decide what music shall be played, what hymns or anthems shall be sung, or what furnishings or flowers should be placed in or about the Church for the occasion.

§15.3.10 The Nuptial Eucharist.

It is fitting that the new-married persons should receive the Holy Communion at the time of their Marriage, or at the first opportunity after their Marriage.

CANON 15.4. CHRISTIAN LIVING AND CONVERSATION.[167]

§15.4.01 Christian Conversation.

It is the duty of every Christian to live out our Lord's evangelistic command that we go forth into all the world, preaching the Christian Faith to all persons and converting them to become members of His flock.[168] In furtherance of this evangelistic and apologetic imperative, each Member of The Church must so comport himself or herself as to give a wholesome example in word and deed, in accordance with our Lord's injunction that a good tree is known by its good fruit and a defective tree by its ill fruit,[169] so as to commend the Christian life to all who may observe its effects, both fellow Members of The Church and denizens of the world in general.

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[166] Added by the XXIth Synod of the Original Province (Athens, GA, 2015) for clarity.

[167] Added by the XXIst Synod of the Original Province (Athens, GA, 2015) to clarify the Christian duty to give examples of our faith in behaviour and in speech and also to exhibit compassion to all, but in so doing not to approve, condone or cooperate in or with sinful behaviour, and if necessary to reprove it.

[168] St. Matthew 28:19-20; St. Mark 14:15-16.

[169] St. Matthew 12:33; St. Luke 6:44.

§15.4.02 Christian Formation and Instruction.

In order to enable and foster Christian Conversation it is necessary that each Member of The Church be adequately instructed and prepared to explain the basic tenets of our Faith, including The Church's teachings regarding the standards of personal behaviour required of Christians in general and of Anglican Catholics in particular, and in compliance with St. Peter's injunction,[170] always to be ready to explain the hope that is within us.

§15.4.03 The Christian Attitude toward Sin.

(a) The Christian Faith teaches that we are to have compassion upon all with whom we come in contact, whether saint or sinner. Sin is behaviour that offends God and thereby tends to separate sinners from their destined fellowship with Him. Secular authorities are properly God's agents in maintaining order in civil society [171] and thus they have no legitimate authority to approve or condone, let alone to foster and promote, behaviour that is condemned by God.

(b) As The Church's ancient injunction teaches us, we are to love the sinner and hate the sin, whereby we understand that we are always lovingly to value and support all persons while recognizing that such love also requires us not to countenance or coöperate with any sinful behaviour, whether our own or that of others. While true charity does not always require direct confrontation with error, it may do so and it always requires us to be prepared gently and lovingly to reprove and correct such error.

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[170] I Peter 3:15.

[171] Romans 13:6.

TITLE XVI – OF DEACONESSES, LAY READERS, AND OTHER LAY WORKERS

CANON 16.1. DEACONESSES.

§16.1.01 Order of Deaconess.

The Order of Deaconess is the one Office of Ministry in the Catholic Church to which women are admitted by prayer and the laying on of hands of the Bishop,[172] and this Church hereby solemnly reaffirms that universal principle.

§16.1.02 Service of Admission.

Bishops Ordinary may admit women qualified as Sections 1 and 3 of Article XVI of the Constitution of this Church direct to the Office of Deaconess, using the form provided in THE CANADIAN BOOK OF OCCASIONAL OFFICES (1964) or other such orthodox form as the Synod of that Province may authorise.

§16.1.03 Attendance at Synods..

Deaconesses are members of the Laity,[173] and may accept membership in the Assembly of the Laity in either the Holy Synod or the Provincial Synod, or may serve as Delegates in the Lay Order of any Synod of a Diocese or other Jurisdiction, without prejudice to the Standing of their Office.

§16.1.04 Certificates and Testimonials to be Exhibited to the Bishop.

Every woman who is to be admitted a Deaconess shall first present to the Bishop Ordinary of the Diocese or other Jurisdiction in which she is a Communicant:

(a) a Certificate or other sufficient evidence of the date and place of her birth;

(b) a Certificate or other evidence of her Baptism and Confirmation;

(c) a Certificate that she has been nominated to exercise the Office of Deaconess within his Diocese or other Jurisdiction either in a Cure of Souls or in some wider area, or is a Teacher or Lecturer or Professor in a School, College, or University, or is living under vows in the House of a Religious Order, Community, or Institute; and the School, College, University or House of a Religious Order, Community, or Institute being situate within the such Diocese or other Jurisdiction;

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[172] Canon 15, Chalcedon, A.D. 351.

[173] Canon 19, Nicaea I, A.D. 325.

(d) a Certificate signed by the officiating Minister and a Churchwarden of the Parish in which she usually resides or in which her name is on the Church Electoral Roll, certifying that notice was given in the Church of the same in the time of Divine Service on some Sunday at least a month before the day appointed for her admission as Deaconess, of her intention of offering herself as a Candidate for that Order, and that no cause or impediment was alleged by any person present why she should not be so admitted; and

(e) Testimonials of her good life, of her conformity to the Doctrine, Discipline, and Worship of this Church, and her general fitness for the Office of Deaconess, from two (2) Priests having a Cure of Souls, a Deaconess (when there be any) holding a license from a Bishop of this Church, and the Head of the College (when there be any) wherein she shall have trained for that Office.

§16.1.05 Qualifications for Office.

No women shall be admitted to the Office of Deaconess except she be unmarried or in Holy Widowhood [174] and that she be found on examination [175] held by the Bishop, or by competent persons appointed by him for the purpose, to possess a sufficient knowledge of Holy Scripture, the writings of the Fathers of the Church, and of the rest of the Doctrine, Discipline, and Worship of this Church.

§16.1.06 Declaration and Oath Required.

Every woman who is to be admitted to the Office of Deaconess shall, in the presence of the Bishop by whom she is to be so admitted, make and subscribe the following Declaration and Oath:

> I, *A.B.*, do promise conformity and obedience to the Doctrine, Discipline, and Worship of the Anglican Catholic Church. So help me God, through Jesus Christ.
>
> I, *A.B.*, will give due obedience to the Lord Bishop of *C.* and his Successors in all things lawful and honest. So help me God.

§16.1.07 Licensing of Deaconesses.

No Deaconess shall exercise her Office in any Diocese or other Jurisdiction until she has been licensed so to do by the Bishop Ordinary thereof; provided that when any Deaconess is to exercise her Office temporarily in any Diocese or other Jurisdiction, the written permission of the Bishop Ordinary thereof shall suffice.

§16.1.08 Registry of Deaconesses.

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[174] I Timothy 5:3, 9-10, 12; Canon 24, The First Canonical Epistle of St. Basil to Amphilochius, Circa A.D. 370; Canon 15, Chalcedon, A.D. 451; and Canon 40, Quinisext, A.D. 692. Cf. I Timothy 5:11.

[175] Canon 14, Chalcedon, A.D. 451.

The Bishop Ordinary of every Diocese or other Jurisdiction shall keep a Register Book wherein shall be entered the names of every person whom he has either admitted to the Office of Deaconess or licensed to exercise the Office thereof in his Diocese or other Jurisdiction; and each such name shall be sent and certified to the central Registrar of Ordinations if, as, and when such Office shall be established by the Holy Synod or the Synod of that Province.

§16.1.09 Renunciation of the Ministry of Deaconess.

Any woman who has been admitted and set apart to the Office of Deaconess in accordance with the provisions of these Canons and who at any time thereafter shall desire to resign from the exercise of her Ministry or intends to be married, shall give notice of such desire or intention to the Bishop Ordinary of the Jurisdiction wherein she be canonically resident, and shall thereupon be released by that Bishop Ordinary from the vows she has taken and she shall, thereby, cease from the exercise of the Office of her Ministry.[176]

CANON 16.2. LAY READERS.

§16.2.01 Qualifications for Office.

The Ordinary of a Diocese or other Jurisdiction may license and appoint one or more godly men to be Lay Readers in any Congregation, Parish or Mission in that Diocese or other Jurisdiction at the request and on the nomination of the Clergyman of such Congregation, Parish, or Mission who shall certify to the Ordinary that each such godly man has been validly baptised and confirmed, that he is a regular Communicant in good standing of such Congregation, Parish or Mission, that he possesses sufficient knowledge of the Holy Scriptures and of the Doctrine and Worship of the Anglican Catholic Church as set forth in the *Book of Common Prayer*, that he is able to read the services of the Church plainly, distinctly, audibly, and reverently and, if he is to be further licensed by the Ordinary, to teach and preach at the Offices, that he is capable both of teaching or preaching.

§16.2.02 Annual Licence Required.

The licence of a Lay Reader shall be granted for a definite period, not to exceed one (1) year, and may be renewed from time to time, at the discretion of the Ordinary. Such renewal shall take into account an annual written report made by the Lay Reader to the Ordinary which report shall include comment or endorsement by the Clergyman in charge of the Congregation, Parish or Mission to which the Lay Reader is appointed and licensed.

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[176] 1 Timothy 5:12. Canon 15, Chalcedon, A.D. 451, orders that she be deposed as well as her husband it she marries while still a Deaconess. Cf. PECUSA Canon 51:1, which mandated that she be unmarried or in widowhood and that the appointment was vacated by any subsequent marriage.

§16.2.03 Revocation of Licence.

The licence of a Lay Reader may be revoked by the Ordinary at any time. A Lay Reader, when required to do so by the Ordinary, shall cease from the exercise of his functions and return his licence to the Bishop for cancellation.

§16.2.04 Exercise of Office.

No Lay Reader shall exercise his Office in a Congregation, Parish or Mission other than the one to which he is appointed and licensed without the written permission of the Clergyman in charge of such other Congregation, Parish or Mission and, if such other Congregation, Parish or Mission is in another Diocese or other Jurisdiction, the written permission of the Ordinary thereof.

§16.2.05 When Officiating.

When officiating during the time of Divine Service a Lay Reader shall wear a cassock and surplice and, if he be a graduate, the hood of his degree.

§16.2.06 Conduct of Services.

In all matters relating to the conduct of Divine Service and to the Sermons or Homilies to be read, the Lay Reader shall conform to the directions of the Clergyman in charge of that Congregation, Parish or Mission in which he is serving and, in all cases, to the direction of the Ordinary thereof.

He shall read only the following Offices from the *Book of Common Prayer*, or parts thereof, and shall observe the limitations specified:

(a) Morning Prayer, Evening Prayer, and Compline, omitting the Absolution and making no substitution for it;

(b) The Litany;

(c) The Penitential Office;

(d) The Offices of Instruction;

(e) In the Order for Holy Communion, The Epistle only;

(f) The Burial Offices; substituting for the Priestly blessing the concluding prayer at the end of the Shorter Form for Family Prayer at evening (American) or Morning Prayer (Canadian); omitting the form for the hallowing of a grave; substituting for the Priestly blessing at the Grave the final prayer at the end of the Shorter Form of Family Prayer at Morning; and substituting for the Priestly blessing at the Burial for a Child, the concluding prayer at the end of the Shorter Form for Family Prayer at Evening (American) or Morning Prayer (Canadian) ; and

(g) In the 1962 Canadian edition of the *Book of Common Prayer,* the *Order of Service for Young People* and *The Forms of Prayer to be Used at Sea*, omitting the Absolution and making no substitution for it.

§16.2.07 Sermons.

A Lay Reader shall not deliver Sermons or addresses of his own composition unless, after instruction and examination, he be specially licensed thereto by the Ordinary.

§16.2.08 Declarations.

Prior to being admitted or licensed as a Lay Reader, the man being so admitted or licensed shall affirm and subscribe to the following Declaration:

> I, *A.B.*, about to be admitted and licensed to the Office of Lay Reader in the Church do hereby declare as follows. I have been baptised and confirmed, and I am a regular Communicant of the Anglican Catholic Church. I assent to the *Book of Common Prayer* and I believe the doctrine of the Anglican Catholic Church as set forth therein to be agreeable to the Word of God. I will give due obedience to the Lord Bishop of *C.* and his Successors in all things lawful and honest.

§16.2.09 Admission.

The Ordinary, or his Deputy, may admit a person to the Office of Lay Reader by the delivery of a New Testament, but without imposition of hands, and shall give to the newly admitted and licensed Lay Reader a Certificate of his admission and licence to the Office of Lay Reader.

CANON 16.3. OTHER LAY WORKERS.

§16.3.01 Qualifications of Lay Worker.

Any member of the Laity who is validly baptised and confirmed, and a regular Communicant in good standing of this Church, and who possesses the necessary qualifications, may be commissioned by the Bishop of a Diocese or other Jurisdiction as a Lay Worker of the Church.

§16.3.02 Term of Commission.

The Diocesan Bishop or Bishop Ordinary of any Jurisdiction shall give to every person so commissioned by him a Certificate of his or her Commission as a Lay Worker of the Church and such Commission shall not be repeated if that member of the Laity shall move to another Diocese or other Jurisdiction.

§16.3.03 When Licence Required.

No member of the Laity who has been commissioned as a Lay Worker of the Church shall serve as such in any Diocese or other Jurisdiction except such member of the Laity shall have, in addition to the Certificate of Commission, a licence so to do from the Bishop thereof; provided that when any Lay Worker is to serve temporarily in any Diocese or other Jurisdiction, the written permission of the Bishop Ordinary thereof shall suffice.

§16.3.04 Necessary Provisions.

No Bishop Ordinary shall commission or license any such person as a Lay Worker of the Church, except that he be satisfied that:

(a) such person is competent to carry out the duties of the Office to which he is to be appointed;

(b) if such person is to be a stipendiary Worker in any Place, adequate provision has been made for such persons salary, for such person's insurance against sickness and accident, and for a pension on such person's retirement.

§16.3.05 Training.

Every such person to be so licensed by a Bishop shall have received training either under the supervision of a commission appointed by the Bishop Ordinary of a Diocese or other Jurisdiction for that purpose, or at a Centre set aside for that purpose, in the subjects deemed to be suitable therefor, among which shall be the following:

(a) The Holy Scriptures,

(b) The *Book of Common Prayer,*

(c) Pastoral Care,

(d) Worship and Liturgics,

(e) Church History,

(f) The Use of the Speaking Voice,

(g) Evangelism, and means to extend the work of Christ and the Church,

(h) Theology, and

(i) Other assigned subjects.

§16.3.06 Training Centres.

Each Provincial Synod of this Church may establish and provide for a training centre within that Province. Such training centre shall provide for the education and training or men and women for their lay ministries or work of evangelism in the Church, or both.

§16.3.07 Dean.

A training centre as described in Section 16.3.06 shall have as its Dean and overseer a Bishop of the Province within which it is situated.

§16.3.08 Examination.

Upon completion of a course of study in preparation for the Office of a Lay Worker of the Church, such person shall be examined on the subjects thereof by either the Bishop Ordinary of the Diocese or other Jurisdiction in which that member of the Laity in proposed to be licensed, or by others appointed by him for that purpose.

§16.3.09 Duties.

Lay Workers of the Church so commissioned and licensed as set out in Sections 16.3.02 and 16.3.03 shall be assigned to Congregations, Parishes, or Missions without full-time Clergymen in charge, to assist the Clergy in charge of Cures of Souls in the field of Christian Education, and to such other duties as may be designated by the Bishop or Clergyman.

§16.3.10 Oaths.

Every Lay Worker of the Church to be commissioned and licensed in this Church shall take such Oaths as are prescribed for a Deaconess in these Canons

§16.3.11 Register of Lay Workers.

The Bishop Ordinary of every Diocese or other Jurisdiction shall keep a Register Book, wherein shall be entered the name of every person either commissioned or licensed by him as a Lay Worker of the Church, together with the particular duties which such person has been licensed to perform.

TITLE XVII – OF CONGREGATIONS OF THIS CHURCH

CANON 17.1. CONGREGATIONS OF THIS CHURCH.

§17.1.01 Every Cure of Souls to be Part of a Diocese or other Jurisdiction.

Every Parish, Congregation, or other Cure of Souls of this Church or otherwise subject to the Authority of this Church shall be a constituent part of the Diocese or other Jurisdiction wherein it shall be situated, except as elsewhere provided in the Constitution of this Church and these Canons. It shall be the duty of the Dioceses and other Jurisdictions to promote the spread of the Kingdom of God by the foundation of Parishes, Congregations or other Cures, in every place within their respective jurisdictions.

§17.1.02 Control of Temporalities.

Such Parishes, Congregations or other Cures shall have and retain the ownership and title of any of their temporal lands and other possessions, which they may now have or may hereafter acquire. No Officer of this Church, acting as such officer, shall resort to any Civil Court for the purpose of depriving any Parish, Congregation, or other Cure of any property or right pertaining to property. Each and any Parish, Congregation, or other Cure may withdraw from the Diocese or other Jurisdiction wherein it shall be a constituent part and from this Church by a majority vote of its membership, or as otherwise specified in any Constitution or Canons of the Diocese or other Jurisdiction or of the Province, the Parish, Congregation or other Cure retaining its property; provided that any lawful indebtedness of the Congregation, Cure, or Parish to that Diocese or other Jurisdiction or that Province remains unaffected by such withdrawal and remains subject to litigation.

§17.1.03 Criteria for a Non-Dependent Parish, Congregation, or other Cure of Souls.

A non-dependent Congregation or other such Cure of Souls, often called a Parish, shall consist of the Rector, Incumbent, or Priest in Charge and the People thereof, of which number no fewer than twenty (20) baptised members in good standing of this Church, of which number not fewer than ten (10) shall be Communicants in good standing of this Church, and that such non-dependent Congregation or Cure shall be self-supporting in its temporalities as well as its spiritualities and capable of supporting a full-time or part-time Clergyman.

§17.1.04 Criteria for a Dependent Congregation or other such Cure of Souls.

A dependent Congregation or other Cure of Souls, often called a Mission, is any Congregation or other Cure of Souls of this Church that does not meet the criteria set out in Section 17.1.03.

§17.1.05 Debts.

Inasmuch as the Congregations retain the ownership and title of their temporal lands and other possessions except for any lawful indebtedness to the Diocese or other Jurisdiction or the Province, no Congregation may bind the Diocese or other Jurisdiction to any debts the Congregation may incur; no Diocese or other Jurisdiction may bind the Province to any debts the Diocese or other Jurisdiction may incur; and no Province may bind the Holy Synod to any debts the Province may incur.

CANON 17.2. PARISH AND OTHER RECORDS.

§17.2.01 Records or Registers to be kept in each Parish, Congregation, or other Cure.

In each Parish, Congregation, Mission, or other such Cure of this Church the Clergyman in charge, or, if the Cure be canonically vacant, then the Churchwardens, Vestrymen, or Trustees, shall be responsible for keeping and maintaining the following Records and transmitting yearly summaries of them to the appropriate official of that Diocese or other Jurisdiction no later than Ash Wednesday of each year:

(a) A register of Baptised Members of the Parish, Congregation, Mission, or other such Cure, with a notation of transfers in or out, by Letters of Transfer or other canonical means deemed suitable in that Jurisdiction, whether the member is confirmed or a Communicant and if the member is still active in the Parish, Congregation, Mission, or other such Cure.

(b) A Register of Communicants, with the date of their Confirmation or first Communion as nearly as it can be ascertained or from whence they were received, which Register shall be kept current, and shall indicate those who are still active in the Parish, Congregation, Mission, or other such Cure.

(c) A Parish Register of all Baptisms, Confirmations, Marriages, and Burials within the Congregation or Charge, containing all information, and the witnesses' signatures at Baptisms and Marriages, and otherwise as may be required by custom, Canon of that Diocese or other Jurisdiction, or Civil Law, as well as the signature of the Bishop, Priest, or other Minister officiating at each service therein.

(d) A Register Book of Services, in which shall be recorded the date, time, and place of every Service of Public Worship together with the name of the officiating Minister, the preacher, the number in attendance, and the number of Communions made.

(e) An official Electoral Roll or roll of duly qualified Electors or such other official record whereon are enrolled together with the names of all adult members of this Church who are Communicants in good standing of that Congregation and who are, in accordance with pertinent governing documents and the regulations set forth by that Diocese or other Jurisdiction

otherwise entitled to vote in Parish meetings or other such meetings on matters spiritual or ecclesiastical of that place.

§17.2.02 Examination of Registers.

The Bishop Ordinary of the Diocese or other Jurisdiction shall, at the time of his annual or Canonical Visitation to each Congregation, and also before transferring the Clergyman in charge of any such Congregation to any other Congregation or Jurisdiction, examine the Registers described in Section 17.2.01.

§17.2.03 Irregularities Punishable.

If any disorder, irregularity, or default in the records kept in the Registers is found by the Bishop Ordinary his Deputy, the Clergyman responsible for such records shall be liable, unless the default is remedied within three (3) months, to presentment and trial. No Clergyman whose Congregational records are disorderly, irregular, or not up to date may be transferred to any other- Congregation or Jurisdiction until such disorder, irregularity, or default in the records is remedied.

§17.2.04 Other Canonical Visitations.

At the times of the Canonical Visitation of the Archdeacon or Rural or Regional Dean or other such Official of the Bishop, the Records or Registers shall be exhibited for their examination. Such Official shall forward to the Bishop Ordinary thereof any matter arising in respect of such Visitation when to such Official it seems expedient.

CANON 17.3. USE OF FACILITIES OF A CONGREGATION BY NON-MEMBERS OR GROUPS OF NON-MEMBERS OF THIS CHURCH.[177]

The physical facilities of congregations of this Church are not for public accommodation or use but are set aside for and dedicated to the service of God and the setting forth of the Faith once delivered to the Saints. Therefore, while as a matter of Christian fellowship and neighbourliness they may, in appropriate circumstances, be made available for suitable purposes by persons who are not members of this Church, their use is restricted to persons or groups who or which do not hold, advance, or advocate beliefs or practices that conflict with the faith or moral teachings of this Church or with its Constitution and Canons. Congregations' facilities may not be used for activities that contradict, or are deemed inconsistent with, the Faith or moral teachings of this Church. The Incumbent clergyman or an Officer of the Vestry designated by him has the final authority concerning use of a congregation's facilities.

These restrictions in facility use are necessary because this Church may not materially cooperate in activities or beliefs that are contrary to its faith or its Ecclesiastical Law. Allowing a congregation's facilities to be used for such activities

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[177] Added by the XXIth Synod of the Original Province (Athens, GA, 2015).

would be a grave violation of this Church's faith and religious practice. It is likewise important that this Church and its congregations present a consistent message to the community at large, and that the staff and members of its congregations consciously maintain that message as part of their witness to the Gospel of Jesus Christ. Use of a congregation's facilities by groups or persons who express beliefs or engage in practices contrary to this Church's faith or Ecclesiastical Law would have a severe negative impact on our witness to the Gospel of Jesus Christ; it would cause confusion and scandal both to members of The Church and to the community at large, because they might conclude that by allowing such use of a congregation's facilities, this Church agrees with the beliefs or practices of the users.

Nor may a congregation's facilities be used in any way that contradicts this Church's faith or Ecclesiastical Law. The foregoing restrictions apply to all facilities of a congregation, regardless whether they are within or are without the sanctuary, because this Church holds that all property of any of its congregations is holy and is set apart to worship God and otherwise to contribute to the evangelical witness and religious life of the congregation. [178]

CANON 17.4. MATTERS TO BE ADDRESSED BY DIOCESES.

It shall be left to the various Dioceses or other Jurisdictions of this Church to address the subjects following for proper enactment of Canons or other similar determination save wherein otherwise provided in the Constitution or Canons of this Church or of that Province:

(a) Incorporation and organization of Parishes and Congregations and the by-laws or regulations thereof, or both;

(b) Various Officers of the Parishes and Congregations, especially Churchwardens, Vestrymen or Trustees, and other similar officers, the obligations of their respective offices, the terms of tenure of their respective offices and their admission thereto, the mode and times of their respective elections, the requirements and qualifications therefor, and their respective duties, authority and responsibilities;

(c) Annual Parish Meetings (sometimes known as and designated 'Annual Vestry Meetings'), their times of meeting, quorums, mode of conduct, and other related matters;

(d) Vestries or other similar bodies and the by-laws or regulations concerning the same, of their meetings, conduct thereof, and the rules therefor, of their authority, responsibilities, and duties, and other related matters; and

(e) Any other related parochial matters and concerns.

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[178] See Annex 2 to these Canons.

TITLE XVIII – OF CHURCH MEMBERSHIP AND ITS DUTIES

CANON 18.1. MEMBERSHIP IN THIS CHURCH.

§18.1.01 Baptised Members.

All persons who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Ghost, and whose Baptism has been duly recorded in this Church, are members thereof.

§18.1.02 Members in Good Standing.

All Baptised members who shall for one (1) year next preceding have fulfilled the requirements as set out in Section 18.2.02. "Due Celebration of the Lord's Day", unless for good cause prevented, are members of this Church in good standing.

§18.1.03 Communicants in Good Standing.

All members in good standing who have been confirmed by a Bishop of this Church or a Bishop of a Church in formal or canonical Communion with this Church or have been received into this Church by a Bishop of this Church, and who shall, unless for good cause prevented, have received Holy Communion at least at Christmastide, Eastertide, and Whitsuntide during the next preceding year, are Communicants in good standing of this Church.

§18.1.04 Reception of Laity from Churches not in Formal or Canonical Communion with this Church.

All members of the Lay Order and State who have received the Sacrament of Holy Baptism with water in the Name of the Father, and of the Son, and of the Holy Ghost and who subsequently have been confirmed by Clergy who are described in Section 14.2.02 or who have been purportedly confirmed by rites other than those of the *Book of Common Prayer,* American edition, 1928, or Canadian, 1962, in those Churches concerned, shall be received into this Church by conditional Confirmation by the lawful and proper Bishop of the Jurisdiction, or by his Episcopal Deputy, or by conditional Chrismation if so authorised and directed by such Bishop Ordinary.

§18.1.05 Undoubted Catholic Laity.

All those from undoubted Catholic Churches, who are confirmed or chrismated therein, shall be received by submission to the Ordinary or any Priest so deputised by him for that purpose.

CANON 18.2. CHURCHMEN AND THEIR DUTIES.

§18.2.01 Rule of Life.

It shall be the duty of every Baptised member of this Church to follow this Rule of Life:

(a) To pray daily and read the Holy Scripture regularly;

(b) To attend Divine Service regularly on the Lord's Day, and on other days of obligation, as a Christian Duty, and as an act of Worship and Witness, unless hindered by sickness or other unavoidable cause;

and when Confirmed:

(c) To receive Holy Communion regularly; and always on the principal Festivals; and, if possible, on personal occasions; after due preparation through repentance and faith, and with thanksgiving;

(d) To practice Christian self-discipline, in harmony with the teaching of the *Book of Common Prayer;*

(e) To undertake personal service in Congregation and community; and in the faithful fulfilment of daily work to serve the Lord Jesus Christ;

(f) To express the principle of stewardship by generous and systematic giving of money, and especially by the discipline of tithing except when unable, for the work of the Church at home and abroad, and for relief of the needy, and by the generous giving of alms for other good works;

(g) To study the Christian Faith and its principles of personal and social conduct, and thus to be able to bear convincing witness in the fellowship of the Church;

(h) To preserve and strengthen Christian home and family life, by upholding the Church's teachings on marriage, and by training children to love and serve the Lord; and

(i) To promote harmony and good will in the relationships of daily life, as opportunity offers as a faithful disciple of Christ.

§18.2.02 Due Celebration of the Lord's Day.

All members of this Church shall celebrate and keep the Lord's Day, commonly called Sunday, and other days of obligation by regular public worship in the Church, by hearing the Word of God read and taught, by resorting to the Sacrament of the Body and Blood of Christ when the same may be had, and by other acts of devotion and works of charity, using all godly and sober conversation.

§18.2.03 Holy Communion as the Chief Act of Christian Worship.

The Holy Communion is the chief act of Christian worship. On the Lord's Day and on every other day for which a Collect, Epistle, and Gospel are provided in the *Book of Common Prayer*, it shall be the duty of every Priest in charge of a Congregation to see that this Sacrament is administered at the time and place at which the greater part of the Congregation may conveniently attend.

TITLE XIX – OF RELIGIOUS ORDERS, COMMUNITIES, INSTITUTES AND OTHER SOCIETIES.

CANON 19.1. RELIGIOUS ORDERS, COMMUNITIES, AND INSTITUTES.

§19.1.01 Establishment.

Men or women wishing to live the Religious Life shall apply to the Bishop of the Diocese, Missionary Diocese, or Missionary District, or other Jurisdiction of this church wherein they are canonically resident for his guidance, and for his approval of a Rule or Constitution in keeping with the intention of the Order, Community, or Institute to live the Contemplative, Active, or Mixed Religious Life, as the case may be.

§19.1.02 Disparity of Jurisdiction.

Should the persons belong to different Dioceses or other Jurisdictions, they shall apply to the Bishop having jurisdiction in the place where they intend, by God's guidance and will, to establish the Mother House of the Order, Community or Institute and obtain canonical residence therein.

§19.1.03 Disapproval by Local Ordinary subject to Appeal.

Only the Bishop having jurisdiction in the place chosen for the Mother House may approve the establishment of such Order, Community, or Institute or the Rule or Constitution thereof, but nothing in this or the foregoing Sections of this Canon shall preclude, prevent, or otherwise restrain the right of any such Petitioners from appealing to the Metropolitan of that Province if such consent and approval be alleged to have been unreasonably withheld by the Bishop having jurisdiction in that place. The Metropolitan may direct the Bishop to approve the establishment of the Order, Community or Institute, and its Rule or Constitution, if its Faith, Order, Morals, and Discipline accord with those of this Church, and if the Metropolitan upon due investigation finds that approval was unreasonably withheld.

§19.1.04 Changes in the Rule or Constitution.

Nothing in such Rule or Constitution shall be changed or altered, once approved by the Bishop, without his express consent and approval, or that of his Successor, given in writing upon due Petition of the Chapter or similar Body of that Order, Community or Institute, which Petition and Approval shall both be kept amongst the records or archives of that Diocese or other applicable Jurisdiction and of that Order, Community or Institute itself.

§19.1.05 New Work only with Consent.

No Religious Order, Community or Institute shall enter upon new work in any Diocese or other Jurisdiction of this Church, without the written consent of the Bishop Ordinary holding jurisdiction within such Diocese or other Jurisdiction.

§19.1.06 Episcopal Visitor Required.

The Rule or Constitution of any Religious Order, Community, or Institute shall provide for the selection of an Episcopal Visitor who shall be a member of the College of Bishops of this Church, whose duty it shall be to approve and receive the Solemn Vows or Life Profession of Religious, to visit, enquire, and investigate that Order, Community or Institute to see that the Rule or Constitution, as approved, is duly observed and all its requirements fulfilled, and to hear and receive appeals, either from the Order, Community, or Institute, or any House thereof, or from any individual Religious thereof, whether professed or not, as to any and all transgressions of the Rule or Constitution.

§19.1.07 No exemption from Jurisdiction of Bishop Ordinary.

Nothing in Section 19.1.06 shall infringe or otherwise limit the Ordinary Jurisdiction of the Bishop or of the Metropolitan to Visit any House of Holy Religion, whether Abbey, Priory, Monastery, Convent or other, lying situate within his Jurisdiction, as set forth respectively in Sections 19.5.05 and 19.5.09 and Canons 6.5 and 4.3 of these Canons, to see to the keeping of the Faith, Order, Discipline, and all laws, Constitutions, or Canons of the Holy Synod or of the Provincial or other Synod; nor shall the foregoing Section of this Canon or any other Constitution, Canon, Law, or Law Ecclesiastical or Custom be admitted and pleaded as establishing any Religious Order, Community, Institute, or House, whether Abbey, Priory, Monastery, Convent, or other, as in any way exempt from the Jurisdiction of the Bishop, Missionary Bishop, Metropolitan, or any other Episcopal Ordinary or, if the See be vacant, the Guardians of the Spiritualities thereof or their lawful Episcopal Visitor to such vacant See, or in any way not subject to his lawful pastoral concern and needful correction, except that matters affecting only the Rule or Constitution of the Order, Community, Institute or House, whether Abbey, Priory, Monastery, Convent, or other, shall be exempt.

§19.1.08 Appeals to the Metropolitan.

Nothing in any foregoing Section of this Canon or elsewhere shall in any way restrain appeals from the Bishop Ordinary of the Diocese or other Jurisdiction, or other Episcopal Ordinary, or Guardians of the Spiritualities or the Episcopal Visitor thereof in *sede vacante,* to the Metropolitan of the Province, or restrict any of his lawful and Canonical Metropolitical Visitorial Authority, rights, powers or duties; provided always, that when the Ordinary or other usual Visitor be himself the Metropolitan, appeals to the Metropolitan in that instance shall be made by right to the next Senior Bishop Ordinary of that Province.

§19.1.09 Liturgical Uses.

Religious Orders, Communities, or Institutes shall be free to appoint liturgical Uses not inconsistent with the Constitution and Canons of this Church and of that

Province within which the Mother House shall lie situate, provided always, that the Bishop Ordinary having jurisdiction in that place may allow such other forms of the Divine Office as the edification of that Order, Community or Institute may so require, in place of, or in addition to, or augmentation of, the Order for Morning Prayer or the Order for Evening Prayer or Compline or the Litany as set forth in the *Book of Common Prayer.* Such approval, once given, shall not be withdrawn by any Successor of or to the Bishop granting such approval.

§19.1.10 Recognition not to be Withdrawn.

No Religious Order, Community, or Institute, or any House thereof, once established in accordance with this Canon and the Constitution of this Church or the Constitution or Canons of any Province, shall or may be suppressed except by Canon of the Holy Synod or of that Provincial Synod, whichever is applicable in that instance, and by a vote of three-fourths (3/4) of the whole number of each of the constituent authorities of such Synod as provided by Article XIX of the Constitution of this Church, and no Bishop or Metropolitan whatsoever shall have power to withdraw the official recognition once granted to an Order, Community, or Institute, or any House thereof, except for repeated and wilful violation of the Constitution and Canons of the Holy Synod, or of the Constitution or Canons of the Provincial Synod or of the Synod of the Diocese or other Jurisdiction, or of the Faith, Order, Morals, or Discipline of this Church, or of the Rule or Constitution of that Order, Community or Institute, or of the other Laws Ecclesiastical of this Church applicable to the same, and such withdrawal of recognition shall only be made after consultation with the College of Bishops of that Province.

§19.1.11 Dismissals from Communities and Secularization of Religious.

No fully Professed Member of any Order, Community, or Institute may be dismissed therefrom without the Member's right of appeal to the Episcopal Visitor of that Order, Community, or Institute, with further appeal to the Metropolitan of that Province, unless the Member by written and signed Declaration, given of his or her own free will and volition, waive his or her right of appeal; and no fully Professed Member or any other Member under Vows, subject to the authority of this Church, shall be released from his or her obligation to or under such Vows or Profession without written Dispensation of the Episcopal Visitor of that Order, Community or Institute.

§19.1.12 Chaplains.

Any Religious Order, Community, or Institute may elect or otherwise choose a Chaplain or Chaplains in such manner as may be according to or provided by that Rule or Constitution, but if he be a Priest not canonically resident with Licence in that Jurisdiction wherein such Order, Community, or Institute, or any House thereof, be situate, he must obtain a Licence or Faculty from the Bishop Ordinary of that Jurisdiction.

§19.1.13 Reception of Religious.

Any person previously set apart or Professed as a Religious may, upon providing satisfactory evidence of such status, be received into the Diocese or other Jurisdiction by

the Bishop Ordinary thereof, and into such Order, Community, or Institute, or any House thereof, or other House as will receive the Religious in accordance with its Rule or constitution.

§19.1.14 Religious who are in Holy Orders.

Members of Religious Orders, Communities, or Institutes who are in any of the Holy Orders of the Church shall be and are subject to all Constitutions, Canons and Laws Ecclesiastical of this Church concerning the Clergy, and are in no wise exempted therefrom on account of their Religious Profession or other such standing. Except where the approved Rule or Constitution provides otherwise, they shall not be required to leave the enclosure of that Order, Community or Institute in compliance with canonical duties or obligations of that Holy Order as might be applicable outside the confines of the cloister.

§19.1.15 Property of Religious Orders, Communities, or Institutes.

It shall be provided in the Rule or Constitution of every Order, Community or Institute that real estate, endowments, and any other property belonging to or held for the Order, Community or Institute shall be held in trust for that Order, Community or Institute, and shall not be held to the profit of any Member or Members thereof, or in any other way which does not accord with the secular law of the Civil Government or Governments of that place, particularly in respect of any applicable regulations or laws controlling or governing any tax-exempt status which may apply.

Religious Orders, Communities and Institutes, or their currently chosen and approved Trustees or their successors, shall have and retain the ownership and title of any of their temporal lands and other possessions which they may now have or hereafter acquire. No Officer of this Church, acting as such Officer, shall resort to any civil court for the purpose of depriving any such Religious Order, Community or Institute of any property or right pertaining to it. In this regard Religious Orders, Communities and Institutes shall have exactly the same rights as any Congregation of this Church as set forth in Article XXI of the Constitution of this Church and Section 17.1.02 of these Canons.

CANON 19.2 SOCIETIES OF THE COMMON LIFE.

§19.2.01 Institutes Secular.

[Reserved]

§19.2.02 Congregations Secular.

[Reserved]

§19.2.03 Societies Secular.

[Reserved]

§19.2.04 Foundations Secular.

[Reserved]

CANON 19. 3. THIRD ORDERS OR TERTIARIES AND ASSOCIATES OF APPROVED RELIGIOUS ORDERS, COMMUNITIES, AND INSTITUTES.

§19.3.01 Third Orders or Tertiaries .

[Reserved]

§19.3.02 Associates of Approved Religious Orders, Communities, or Institutes.

[Reserved]

CANON 19.4. CONFRATERNITIES AND ARCHCONFRATERNITIES.

§19.4.01 Confraternities.

[Reserved]

§19.4.02 Archconfraternities.

[Reserved]

CANON 19.5. GUILDS AND SODALITIES.

§19.5.01 Guilds.

[Reserved]

§19.5.02 Sodalities and other such Societies.

[Reserved]

CANON 19.6. LAY ASSOCIATIONS AND ASSOCIATIONS OF THE FAITHFUL.

§19.6.01 Lay Associations.

[Reserved]

§19.6.02 Associations of The Faithful.

[Reserved]

§19.6.03 Recognition and the Withdrawal thereof.

[Reserved]

TITLE XX – OF CHRISTIAN WORSHIP

CANON 20.1. THE MUSIC OF THE CHURCH.

§20.1.01 Responsibility of the Clergy for Music.

(a) *Clerical Authority over Music and Musicians*:

It shall be the duty of every Clergyman having a Charge or Cure of Souls to see that music is used as an offering for the glory of God and as a help to the devotions of the people in accordance with the *Book of Common Prayer* and as authorised by the Rubrics or by the Holy Synod or any Provincial Synod of this Church. To this end, every Clergyman in charge of any Congregation, Parish, or Mission shall have authority in the administration of matters pertaining to music. He shall have the appointment, direction, and power of removal of the organist and choirmaster and of any other person or persons who may be required to assist them.

(b) *Clerical Suppression of Certain Music*:

It shall be the especial duty of such Clergymen to suppress all light and unseemly music, and any irreverence in the rendition of all music in any Congregation, Parish, or Mission subject to his Charge or Cure.

§20.1.02 Use of Plainsong and other Music.

(a) *Plainsong in Services*:

In accordance with historic Anglican practice and the customs of the several Western Catholic Churches, this Church allows and recommends to its Clergy and Laity the continued use of such traditional modest and distinct plainsong in sung parts of the Common Prayers in the Church, that the same may be as plainly understood as if it were read without singing.

(b) *Lessons in Plainsong*:

In choral or sung services the Lessons also may be sung in a plainsong tune, and likewise the Epistle and Gospel.

(c) *Use, Publication, and Study of Plainsong Encouraged*:

This Church encourages the continuance and further revival of plainsong, including the study, publication, and use of such texts from the manuscripts and other sources as may suitably be employed in this Church and not in conflict with its liturgical law, and to those ends the Church encourages the establishment of *scholae cantorum* and other similar choirs and schools.

(d) *Anglican Chant Encouraged*:

This Church moreover encourages retention and use of the distinctive Catholic heritage of its Anglican chant in any choral or sung services.

(e) *Polyphonic Music Permitted*:

Nothing in the foregoing Sub-sections shall be construed as forbidding such polyphonic compositions as have been heretofore used in the Church for parts of the service other than those sung by the Clergyman or other Officiant, or as may come to be written and are permitted by such Committee or Commission as the College of Bishops shall appoint, and through which they shall normally exercise their *jus liturgicum* in respect to music.

CANON 20.2. AUTHORISATION OF SPECIAL FORMS OF SERVICE.

Any Congregations, Institutions, Foundations, or Societies received from any other Eastern or Western Church which shall have placed itself under the oversight of a Bishop of this Church, may retain the forms of service they have customarily used provided that the Metropolitan and the College of Bishops of that Province shall have previously examined such forms of service and shall have been satisfied that the same is in accordance with the Faith and Doctrine of this Church, approving such forms of service for use only in such Congregations, Institutions, Foundations, or Societies.

TITLE XXI – OF GENERAL BUSINESS AND ADMINISTRATIVE PROCEDURES

CANON 21.1. INCORPORATION IN EACH PROVINCE.

§21.1.01 Temporal Incorporation.

Each Province of this Church, to assist in the regulation of its temporal affairs, shall be organised and incorporated, or as near as possible in the circumstances it may find itself, as a corporation not-for-profit or as a non-profit corporation or as a religious, eleemosynary, or charitable society under or according to the laws of the civil jurisdiction in which it may be situate, by direction of the College of Bishops of that Province.

§21.1.02 Incorporation and Registration Elsewhere.

Each Province of this Church, as a temporal corporation or society or other entity, may be registered or incorporated, or both, in civil jurisdictions other than that in which it shall be initially so organised and incorporated or otherwise registered as set forth in Section 21.1.01, where occasion may so require or be deemed beneficial by the College of Bishops of that Province, or where such may be required by civil statute or law.

§21.1.03 Constitution and Canons as Corporate By-Laws.

The Constitution of this Church, these Canons, and the Constitution or Canons, or both of each Province shall be and constitute the By-Laws and Regulations of such corporation or other entity as set forth in Section 21.1.01.

§21.1.04 Corporate Trustees and Directors.

The College of Bishops of each Province shall be, act, and serve as the Trustees or Directors, however designated, of any such temporal corporation or society or other entity save and unless other provision be made in the Articles of Incorporation or in the Constitution or Canons of that Province.

§21.1.05 Corporate or Societal Officers.

In each Province the officers of that corporation or society or other entity shall be, or be as nearly as possible under the prevailing circumstances, as follows:

(a) The Metropolitan of that Province shall be the Chairman, President, and Chief Executive Officer, however designated in accordance with civil law, of such temporal corporation or society or other entity;

(b) The Senior Bishop Ordinary of that Province shall be the Vice-Chairman or Vice-President, however designated in accordance with civil law, of such temporal corporation or society or other entity;

(c) The Provincial Secretary of that Province shall be the Secretary, however designated in accordance with civil law, of such temporal corporation or society or other entity;

(d) The Provincial Bursar of that Province shall be the Treasurer, however designated in accordance with civil law, of such temporal corporation or society or other entity; and

(e) The Provincial Chancellor of that Province shall be the chief Legal Officer, however designated in accordance with civil law, of such temporal corporation or society or other entity.

CANON 21.2 THE FISCAL YEAR.

The Fiscal Year of this Church and each Province thereof shall begin on the First (1st) Day of January and end on the Thirty-first (31st) Day of December of the secular or Gregorian Kalendar.

Dioceses and other Jurisdictions of this Church shall report to both their respective Provinces and this Church on the basis of the same secular or Gregorian Kalendar Year.

Academic institutions subject to the authority of any Province of this Church may operate on the fiscal basis of an academic fiscal year and may also report to the Province on the basis of such academic fiscal year.

The Administrative Council of that Province may require of such academic institutions fiscal reports other than those required in these Canons or elsewhere, as such Council may deem necessary.

CANON 21.3. FINANCIAL SUPPORT OF THE PROVINCES.

In order effectively to facilitate the work and Apostolic Mission of the Church in each Province, and to meet the financial requirements thereof, there shall be a general fund in each province of this Church which fund shall be supported by a monthly offering from each Diocese or other Jurisdiction of each Province of a tithe of the income received each month by such Diocese or other Jurisdictions therein.

For the purposes of this Canon a 'tithe' shall be defined as ten percent (10%) of the income of that Diocese or other Jurisdiction, excluding gifts designated for purposes other than operating expenses.

Special Funds, to which designated offerings may be made, may be established by a Provincial Synod or the College of Bishops of a Province as may, from time to time, by such be deemed necessary.

CANON 21.4. BUSINESS AND ADMINISTRATIVE PROCEDURES OF EACH PROVINCE.

The Metropolitan and the College of Bishops of each Province of this Church shall exercise their authority over and in Causes and Matters Temporal through, by, and in an Administrative Council save as elsewhere provided in the Constitution of this Church and these Canons.

§21.4.01 Administrative Council. [179]

There shall be in each Province of this Church an Administrative Council which shall be composed and consist of the Metropolitan, the Provincial Secretary, and the Bursar of that Province, by virtue of their respective Offices, and seven (7) other members being knowledgeable of or having expertise in either fiscal or business matters and practices, or both, as follows:

(a) An Administrative Assistant to the Metropolitan, other than the Provincial Secretary, who shall be appointed by that Metropolitan, with the formal canonical advice and consent of his College of Bishops, from among either the Episcopal, Clerical, or Lay Order within that Province and who shall be a Communicant in good standing of the Church therein. The Administrative Assistant shall serve as such at the pleasure of that Metropolitan and during that tenure shall be a member of the Administrative Council.

(b) Two (2) Members shall be appointed by the Metropolitan with the formal canonical advice and consent of his College of Bishops. Such members shall be Communicants of the Church in good standing in that Province and may be from among either the Episcopal, Clerical, or Lay Order. One of these members shall be appointed at each regularly scheduled Provincial Synod to serve for a term spanning two such Synods.

(c) Two (2) members of the Clerical Order and State of this Church in that Province shall be elected by the Senate of Clergy of the Provincial Synod. One of these members shall be elected at each regularly scheduled Provincial Synod to serve for a term spanning two such Synods.

(d) Two (2) members of the Lay Order and State of this Church in that Province shall be elected by the Assembly of Laity of the Provincial Synod. One of these members shall be elected at each regularly scheduled Provincial Synod to serve for a term spanning two such Synods.

(e) In the event a vacancy shall occur in the Administrative Council of any Province of this Church by virtue of the death, resignation, or otherwise, of a member so elected by the Senate of Clergy or by the Assembly of Laity, respectively, as set forth in Sub-sections (c) and (d) of this Section, the Prolocutor of the Senate of the Clergy or the Speaker of the Assembly of the

[179] Amended by the XVIIth Synod of the Original Province (Cleveland, OH, 2007) to change the composition of the Administrative Council and the terms of office of its elected and appointed members.

Laity may appoint from among that State and Order of that Province a successor to serve until the adjournment and prorogation of the next regular meeting of that Provincial Synod.

§21.4.02 Taking of effect of Decisions of Administrative Council.

The Metropolitan of each Province, or in his absence someone designated by him, shall preside over all meetings of that Administrative Council.

Decisions of that Council shall not become effective without the approval of that Metropolitan, but shall come into effect upon his written approval.

CANON 21.5. DUTIES OF THE ADMINISTRATIVE COUNCIL OF EACH PROVINCE IN CAUSES AND MATTERS TEMPORAL

§21.5.01 Duties of Administrative Council.

It shall be the duty of the Administrative Council in each Province of this Church, subject to the authority and direction of that Metropolitan and his College of Bishops, to be responsible for and have authority over the general business administration and financial affairs of that Province, in accordance with the Constitution of this Church and these Canons and of the Constitution or Canons of that Province, and subject to decisions of the College of Bishops of that Province and such applicable Statutes as may be duly enacted by that Provincial Synod.

Without restricting the generality of the foregoing Preface, the following in particular shall be deemed to be within the authority of such Council in each Province:

(a) The Administrative Council shall have general supervision over the assigned duties and activities of the Provincial Bursar as Treasurer of that Province.

(b) The Administrative Council may recommend the appointment of Deputy Bursars to assist the Bursar of that Province in his duties as the Council may deem appropriate to assure the prompt accounting for all tithes and other monies received, belonging to, or in any way vested in or under the control of that Province.[180]

(c) The Administrative Council shall have general control over the following except as otherwise specifically provided or directed by that Provincial Synod or that Metropolitan with the advice and consent of his College of Bishops:

(i) the receipt of tithes and other contributions to that Province;

(ii) the collection, investment, and expenditure of all monies and other financial instruments belonging to or in any way vested in or under the control of that Province;[181] and

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[180] *E.g.,* Holyrood Library.

[181] *Ibid.*

(iii) the lease, purchase, sale, and general management and administration of all land and property, real or personal, or chattels, belonging to or in any way vested in or under the control of that Province.[182]

(d) The Administrative Council, subject to the approval and consent of that Metropolitan, shall have authority to appoint a committee or committees as it may, from time to time, deem necessary to facilitate any part of the work of the Council, or to lend advice with respect thereto.

Such committee or committees may include or be composed of persons other than those who are members of that Administrative Council.

(e) The Administrative Council, subject to the approval and written consent of the Metropolitan, shall have authority to appoint as assessors, to function with that Administrative Council or any committee appointed by the Council, such experts as that Council may, from time to time, deem necessary. Such assessors shall have seat and voice in the body that they are called to serve, but they shall not have vote therein.

§21.5.02 Signatory Authority.

The Metropolitan of each Province of this Church, upon the recommendation of the Administrative Council thereof, and after consultation with and consideration of the recommendations of that Provincial Bursar, as set forth in Section 7.8.05, shall with the formal canonical advice and consent of his College of Bishops provide, by direction to that Provincial Bursar, for such insured checking or other insured accounts as may be necessary for the effective and proper management of funds.

The Metropolitan shall likewise upon the recommendation of his Administrative Council, with the formal canonical advice and consent of his College of Bishops, designate the authorised signatories and, with the assistance of the Provincial Secretary, execute such written instruments as may be required by the depositary institution.

§21.5.03 Provincial Secretary. [183]

The Provincial Secretary of each Province shall assist the Metropolitan thereof in:

(a) the co-ordination of matters to be submitted to the Administrative Council of that Province,

(b) in recording the proceedings of that Council,

(c) in providing due notice of meetings and of matters therein to be considered, and

(d) the promulgation of decisions made by the Council.

The Provincial Secretary shall have authority to delegate these duties and responsibilities to the Deputy Provincial Secretary or to another member of the Administrative Council.

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[182] *Ibid.*

[183] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to refer to a Deputy Provincial Secretary.

§21.5.04 Deputy Bursars.

(a) *Appointment:*

The Metropolitan of each Province of this Church, upon the recommendation of the Administrative Council thereof, with the formal canonical advice and consent of his College of Bishops, may appoint able and competent persons, who are Communicants in good standing of the Church in that Province, to be Deputy Bursars of that Province and who shall serve at the pleasure of that Metropolitan and his College of Bishops.

(b) *Duties:*

The Deputy Bursars shall serve under the direction of the Bursar of that Province and shall assist the Bursar in performance of the duties set forth in Canon 21.6 and as elsewhere provided in these Canons and, in particular, subject to the approval and written consent of that Metropolitan, shall act for and on behalf of the Provincial Bursar during the Bursar's absence or inability to attend to those duties.

Such Deputy Bursars shall perform all such other duties required of them by that Metropolitan, that Administrative Council, or the Synod of that Province, or set forth for them in these Canons and the Constitution or Canons of that Province.

§21.5.05 Bonding. [184]

The Administrative Council in each Province, subject to the approval of the Metropolitan and his College of Bishops thereof, shall determine and impose such requirements for amount and type of bond or other security against loss as that Administrative Council may deem appropriate and necessary to safeguard the interests of that Province and its contributors.

The Bursar of each Province, and such others that may, from time to time, be appointed Deputy Bursars therein, shall be commercially bonded or otherwise secured in accordance with the procedures set forth in the foregoing paragraph.

CANON 21.6. FURTHER DUTIES OF THE BURSAR.

The Bursar of each Province of this Church, in addition to the duties set forth in Section 7.8.05, shall also perform the duties assigned in the following Sections of this Canon. In order to assist and facilitate the performance of these duties, the Metropolitan of each Province, with the formal canonical advice and consent of his College of Bishops, may appoint that Provincial Bursar to be the Vicar General in Temporals of that Province, and as such to serve at the pleasure of that Metropolitan.

[184] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to provide means of security other than commercial bonding in appropriate cases.

§21.6.01 Bursar as Treasurer. [185]

Each Provincial Bursar shall be the Treasurer of all the various Departments, Commissions and Committees, whether of a permanent or temporary nature, as well as of all Officers and Officials of the Province, and shall be responsible for monitoring the expenditures of the various Departments, Commissions, Committees, Officers and Officials as against approved budgets. The Provincial Bursar shall likewise monitor the financial activities of the Province and any corporate not-for-profit, eleemosynary, ecclesial bodies or entities, or religious, charitable or other trusts for which that Province has a financial responsibility, and shall report with respect to these activities to the Metropolitan and his College of Bishops, the Provincial Administrative Council, and also to that Provincial Synod at each regular meeting thereof.

§21.6.02 Inventory.

Each Provincial Bursar, subject to the authority of the Metropolitan and the direction of the Administrative Council of that Province, shall be responsible for recording, providing security for, and maintaining a current inventory, including location, of the original or attested copy or deposit receipt of and for all documents affecting the ownership or conditions of use of monies, deposits, bequests, endowments, trusts, investments, property real or personal, and chattels belonging to, or in any way vested in or under the control of that Province,[186] including but not limited to any contract, bond, written agreement, insurance policy or other document having a known potential or actual effect in the financial responsibility under the control or in the name or in the interest of that Province.

Such inventory shall be kept as nearly current as is reasonably possible, and shall be at all times available for inspection by the Metropolitan, the Provincial Secretary, and such other person or persons as may be specifically approved or delegated to do so or by the Metropolitan of that Province and his College of Bishops or by that Provincial Synod.

§21.6.03 Records of Account.

Each Provincial Bursar, subject to the authority of the Metropolitan and the direction of the Administrative Council of that Province, and in the performance of the duties of Treasurer of that Province, and also as Treasurer of the various Departments, Commissions, Committees, Officers, Officials, and corporate not-for-profit, eleemosynary, or ecclesial bodies or entities,[187] or religious, charitable, or other trusts set forth in Section 21.6.01, shall be responsible for the maintenance of such books and records of account as shall be approved by the Metropolitan and the Administrative

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[185] Amended by the XXth Synod of the Original Province (Newport Beach, CA, 2013) to add a requirement that the Provincial Bursar Report to the Administrative Council.

[186] *Id.* note 160.

[187] *Id.* note 160.

Council of that Province or may be required by the Canons of this Church, the Constitution or Canons or both of that Province, or the laws of the Civil Jurisdiction wherein such Province shall be legally incorporated or organised, and the Bursar shall furnish to the Metropolitan and his College of Bishops, for delivery to the Synod of that Province at each regular meeting thereof, a report of the financial operations of all Departments, Commissions, Committees, Officers, Officials, and corporate not-for-profit, eleemosynary, or ecclesial bodies or entities,[188] or any religious, charitable, or other trust for which the Bursar functions as Treasurer, including a clear statement of receipts from whatsoever source, and total expenditure and disbursement of monies since the last regular meeting of that Synod, and the state and condition of the funds and all or any properties, of whatsoever description, belonging to, or invested in, or under the control of that Province.

§21.6.04 Other Duties.

Each Provincial Bursar shall perform such other duties as may be required by that Metropolitan with his College of Bishops, that Provincial Synod, or set forth in these Canons or in the Constitution and/or Canons of that Province.

CANON 21.7. PROVINCIAL BUDGET

§21.7.01 Authority for Budget Preparation.

The Administrative Council of each Province, subject to the authority of the Metropolitan and his College of Bishops, shall be responsible for final preparation of the Budget of that Province for submission to the Provincial Synod at each regular meeting thereof, and shall have full authority to require of each Diocese and all other Jurisdictions of that Province, and of any and all corporate not-for-profit, eleemosynary, or other ecclesial bodies and entities,[189] or religious, charitable, or other trusts for which that Province has financial responsibility as set forth in Section 6.6.01 as well as of all such Departments, Commissions, Committees, Officers, and Officials of that Province all pertinent information with respect to anticipated revenue, monies and items of monetary value, liabilities, expenditures, and projected activities that will serve to facilitate the preparation of a comprehensive budget, with recommendations concerning the same, showing all anticipated sources of income, and the various items of proposed expenditures, supported by a full statement of rationale and plans directed toward a sound and practical fiscal policy in order that the Province may be soundly funded; all in order to provide for the effective working of the Church in that Province for the period from the regular meeting of that Provincial Synod to which the Budget shall be submitted until the adjournment and prorogation of the next regular meeting thereof.

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[188] *E.g.,* Holyrood Library.

[189] *Ibid.*

§21.7.02 Budget Preparation.

Initial preparation for the Budget of each Province shall be by the Provincial Bursar as set forth in Section 8.2.09, working in concert with that Department of Stewardship through the Finance Committee thereof as provided in Sub-section 7.5.01(f), and the initial budget preparation shall be carried forward in accordance with an outline of forward planning considerations to be provided by the Administrative Council of the Province and approved in writing by the Metropolitan and his College of Bishops.

Final preparation of the Budget shall be accomplished in accordance with detailed comments and directions of the Administrative Council of that Province, and with the written approval of that Metropolitan.

§21.7.03 Budget Approval prior to submission to Provincial Synod.

The proposed Budget and accompanying report and planning data shall be submitted to the Metropolitan and his College of Bishops of that Province for comment and approval before preparation for distribution and submission to that Provincial Synod as provided in Section 8.2.09.

Any changes in such proposed Budget approved and directed by that Metropolitan and his College of Bishops shall be made before submission of the Budget to the Synod of the Province for review and enactment thereby.

§21.7.04 Official Budget and Financial Program.

Upon the enactment of the Budget of that Province by the Synod thereof, and upon receiving the Assent of that Metropolitan thereto, the Budget shall be the Official Budget and Financial Program [190] of that Province until the adjournment and prorogation of the next regular meeting of that Provincial Synod, except as may be otherwise provided in this Canon.

The Bursar of each Province is thereupon authorised to expend monies and incur obligations to the extent clearly approved by a specific line item in that Budget, when and as approved by the Officer or Official responsible for the activities covered by that line item.

§21.7.05 Prudent Review; Changes in the Official Budget or Fiscal Policy.

From four (4) months after the enactment of the Budget of a Province until four (4) months before the next regular meeting of the Synod of that Province is scheduled to be convened by the Metropolitan thereof, necessary alterations may be made in the Budget of that Province when a visible or projected short-fall in expected receipts, or circumstances drastically changed from the conditions theretofore used as a basis for planning, or other unforeseen conditions or occurrences shall indicate that prudence and a sound fiscal policy call for a change to be made therein.

When any such circumstances shall occur or exist, or otherwise approximately one year after the enactment of the Budget, the Administrative Council of that Province

[190] The Financial Program would include all entities, such as Holyrood Library, as required in Section 21.7.01.

shall cause to be made an examination of receipts and expenditures against the Budget, and such Council shall recommend changes to the Metropolitan and his College of Bishops that to the Council shall appear to be prudent and advisable.

Changes in such Budget in each Province shall be made and become effective in accordance with the following procedure:

(a) The Bursar of each Province, in concert with the Department of Stewardship of that Province through the Financial Committee thereof, shall make a review, as detailed as reasonably possible, of actual receipts of tithes and other income, and shall determine based on currently available information and report in writing to his Metropolitan and that College of Bishops an estimated shortfall or surplus as compared to the Budget as enacted;

(b) The Stewardship Department shall develop and make available to the Provincial Bursar information from the Dioceses and other jurisdictions of that Province bearing on the validity of projections of income, and the Bursar shall attach to the report called for in Sub-section (a) of this Section his own written estimate and that of the Stewardship Department with respect to the validity and dependability of the data on projected receipts used as a basis for the report;

(c) Should the situation in any Province appear to require either a general reduction in total Budget authorisation, or an adjustment which would affect one or more line item authorizations or provisions, the Provincial Bursar shall furnish appropriate information to each responsible Officer or Official potentially affected or concerned, and each such Officer or Official [191] shall be afforded reasonable opportunity to respond in writing thereto:

(d) The Bursar of each Province, in concert with the Department of Stewardship of that Province through the Financial Committee thereof, shall prepare complete and detailed recommendations to the Metropolitan and the Administrative Council of that Province with respect to either the agreement or objection received from such affected Officials; [192] and

(e) After the Metropolitan and the Administration Council of that Province have approved any plan or plans for proposed changes to be made in the Budget, such plan or plans shall be submitted to the College of Bishops of that Province and such proposed changes shall become effective only upon the formal canonical approval of that College of Bishops and with the written assent of the Metropolitan.

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[191] *E.g.,* the Official appointed by the Board of Governors to be its Financial Officer under the appropriate Statute.

[192] *E.g.,* Holyrood Library.

CANON 21.8. PERSONS SERVING THIS CHURCH.[193]

§21.8.01 Offices and Positions Within This Church.

The provisions of Canon 15.4.01 apply to all Members of this Church but they apply with special force and urgency to persons who hold any Office, position, or appointment within this Church, its agencies, and affiliates, whether such position be stipendiary or voluntary, appointive or elective. Whenever this Church conducts or undertakes any activity or endeavor, or affiliates or associates itself with any such, or creates or designates any Office, position, or appointment, a principal cause of its doing so is to further its essential mission of worshipping God, teaching and practicing the Faith, and converting the world to Christ. In fulfilling its cultic, evangelistic, and apologetic missions, This Church neither recognizes nor accepts any theoretical, philosophical, or legal distinction between its religious activities and endeavors and any others, as, solely by way of illustration and not limitation, its educational, charitable, or community-service activities.

§21.8.02 Duties and Restrictions Incumbent upon Officers and Appointees of This Church.

The principles set forth in Canons 15.4.01 and 21.6.01 require that, to preserve the proper functioning and integrity of this Church, each person who occupies any Office, position, or appointment within this Church, its agencies, and affiliates, or who performs any task or function therein, at all times conforms to the following requirements and restrictions:

(a) To give a wholesome example of Christian living.

(b) To give no cause of scandal, either to the faithful or to those outside this Church.

(c) To make no public actions or statements that could reasonably be interpreted as contradicting or dissenting from any essential Church teaching, either regarding the Faith or morals.

(d) To abide by all of the provisions of the Constitution and Canons of this Church, and of the Province or Jurisdiction within which such person serves.

CANON 21.9 ACQUISITION AND DISPOSITION OF PROVINCIAL PROPERTY; PROVINCIAL LOANS.

§21.9.01 Acquisition of Provincial Property.

No building or structure, used or intended to be used by or for a Province, whether deeded or intended to be deeded under Civil Law directly to a Province of this Church or to a separate corporate not-for-profit, eleemosynary, or ecclesial body or entity, or religious, charitable or other trust, through which a Province derives or could derive benefit, shall be erected, purchased, or otherwise acquired or have structural alterations made thereto or be removed from one locality to another, and no land or

[193] Added by the XXIst Synod of the Original Province (Athens, GA, 2015).

property, real or personal, or chattel, whether deeded or intended to be deeded under Civil Law directly to a Province or to a separate corporate, eleemosynary, or ecclesial body or entity, or religious, charitable or other trusts, through which a Province derives or could derive a benefit, shall be purchased or otherwise acquired without the consent of the Metropolitan of the Province and with his Signature, or in his absence the consent and Signature of the Acting Metropolitan thereof. The consent of the Metropolitan shall be with the formal canonical advice and consent of his College of Bishops when the market value of the building, structure, structural alterations, land, or property shall be less than Twenty Thousand Special Drawing Rights of the International Monetary Fund (SDR 20,000).[194] Unless previously authorised by enabling Statute or Resolution of that Provincial Synod, the consent of the Metropolitan shall be with the formal canonical advice and consent of the Administrative Council and of three-fourths (3/4) of the College of Bishops of that Province when the market value or the building, structure, structural alteration, land, or property shall be Fourteen Thousand Special Drawing Rights of the International Monetary Fund (SDR 14,000) or more.[169]

The foregoing limitation shall not apply to the acceptance of any property offered by grant, gift, bequest, or as an endowment the acceptance of which shall not require as a condition or consequence of such acceptance an expenditure in excess of Twenty Thousand Special Drawing Rights of the International Monetary Fund (SDR 20,000).[169]

§21.9.02 Disposition of Provincial Property.

There shall be no alienation, conveyance, divestiture, or transfer or any land or property, real or personal, or chattel, whether deeded under Civil Law directly to a Province of this Church or to a separate corporate not-for-profit, eleemosynary, or ecclesial body or entity,[195] or religious, charitable, or other trust, through which such a Province derives benefit, without the consent of the Metropolitan of that Province and with his Signature, or in his absence the consent and Signature of the Acting Metropolitan. The consent of the Metropolitan shall be with the formal canonical advice and consent of his College of Bishops when the market value or the land or property, real or personal, or chattel, shall be less than Thirty Thousand United States Dollars (U.S. $30,000). Unless previously authorised by enabling Statute or Resolution of that Provincial Synod, the consent of the Metropolitan shall be with the formal canonical advice and consent of the Administrative Council and of three-fourths (3/4) of the College of Bishops of that Province when the market value of the land or property, real or personal, or chattel, shall be Twenty Thousand Special Drawing Rights of the International Monetary Fund (SDR 20,000) or more.[169]

Nor shall any land or property, real or personal, or chattel, whether deeded under Civil Law directly to such a Province or to a separate corporate not-for-profit, eleemosynary, or ecclesial body or entity, or religious, charitable, or other trust, through which the Province derives benefit, be leased, mortgaged, hypothecated, or otherwise be

[194] Amended by the XX Synod of the Original Province (Newport Beach, CA, 2013) to convert the expression of value in U.S. Dollars to the common international standard of value. The SDR equivalent in several major currencies is posted daily on the website of the International Monetary Fund: http://www.imf.org/external/np/fin/data/rms_sdrv.aspx

encumbered without consent as in the foregoing paragraph and under the same stipulations and conditions.

§21.9.03 Provincial Loans.[196]

No Province of this Church shall incur any financial obligation not expected to be liquidated within one (1) year and so stipulated in the instrument of obligation, whether the obligation accrues directly to that Province or to the Province through a separate corporate not-for-profit, eleemosynary, or ecclesial body or entity, or religious, charitable or other trust, under an arrangement that could eventuate in a financial burden or obligation for or to the Province, without the consent of the Metropolitan of the Province and with his Signature, or in his absence the consent and Signature of the Acting Metropolitan thereof. The consent shall be with the formal canonical advice and consent of his College of Bishops when the value of the loan or other financial obligation shall be less than Twenty Thousand Special Drawing Rights of the International Monetary Fund (SDR 20,000). Unless previously authorised by enabling Statute or Resolution of that Provincial Synod, the consent of the Metropolitan shall be with the formal canonical advice and consent of the Administrative Council and of three-fourths (3/4) of the College of Bishops of that Province when the value of the loan or other financial obligation shall be Twenty Thousand Special Drawing Rights of the International Monetary Fund (SDR 20,000) or more.

§21.9.04 Measure of Market Value.[171]

All sums or amounts of money referred to in this Canon shall be expressed in the Special Drawing Right (SDR) of the International Monetary Fund (IMF), setting forth the equivalent value in the national currency, where appropriate, on the date in question.

CANON 21.10. AUDITORS, THEIR DUTIES AND POWERS.[197]

The Metropolitan of each Province of this Church, upon the recommendation of the Administrative Council thereof, with the formal canonical advice and consent of his College of Bishops, shall appoint (a) a chartered or certified public accountant or firm of the same, duly licensed under appropriate Civil Statute or Law, or if the total assets of that Province are of less than Thirty-Five Thousand Special Drawing Rights of the International Monetary Fund (SDR 35,000) in value, (b) a person or persons not members of that Administrative Council or having a business affiliation with that Provincial Bursar, and being well versed in accounting methods, to be appointed the Auditor or

[196] Amended by the XX Synod of the Original Province (Newport Beach, CA, 2013) to convert the expression of value in U.S. Dollars to the common international standard of value. The SDR equivalent in several major currencies is posted daily on the website of the International Monetary Fund: http://www.imf.org/external/np/fin/data/rms_sdrv.aspx

[197] Amended by the XX Synod of the Original Province (Newport Beach, CA, 2013) to add a possibility of non-chartered Auditors in certain cases.

Auditors of that Province for a time certain to perform the duties of Auditor as provided in this Canon and elsewhere in these Canons.

CANON 21.11. STIPENDS AND ALLOWANCES OF CLERGY. [198]

It is the obligation of each Parish, Congregation, Mission, or other Cure of Souls within or of this Church to provide reasonably for its Clergy, both full time and part time, by agreement with its Minister subject to the written approval of the Bishop Ordinary of the Jurisdiction in which such Parish, Congregation, Mission or other Cure of Souls is situate.

The stipend and allowances of Clergy, once agreed upon in writing, may not be reduced without the written approval of the Bishop Ordinary, and, if such be approved, shall not take effect in less than thirty (30) days from the date of such final approval.

CANON 21.12. CLERGY PENSIONS. [199]

Each Province of this Church may enact legislation establishing a means of providing pensions for its retired and disabled Clergy. Such legislation may be applicable in separate sections, where appropriate, to Clergy of individual nations or geographical areas within the Province concerned, or the legislation of pension arrangements may be remitted to individual Dioceses within such Province.

CANON 21.13. CLERGY HEALTH CARE. [200]

Each Province of this Church may enact legislation providing health care to its Clergy by means of insurance or otherwise. Such legislation may be applicable in separate sections, where appropriate, to Clergy of individual nations or geographical areas within the Province concerned, or the legislation of health care arrangements may be remitted to individual Dioceses within such Province

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[198] Formerly Canon 21.12.

[199] Former Canon 21.10 re Clergy Pensions, deleted by the XVIth Synod of the Original Province (Grand Rapids MI, 2005). Amended by the XX Synod of the Original Province (Newport Beach, CA, 2013) to enable Provinces to provide pensions for Clergy, as necessary limited to individual nations, geographical areas or Dioceses, in conformity with any applicable civil laws.

[200] Former Canon 21.11 re Clergy Health Insurance, deleted by the XVIth Synod of the Original Province (Grand Rapids MI, 2005). Amended by the XX Synod of the Original Province (Newport Beach, CA, 2013) to enable Provinces to provide health care for Clergy, as necessary limited to individual nations, geographical areas or Dioceses, in conformity with any applicable civil laws.

CANON 21.13. CORPORATE DISSOLUTION. [201]

No part of the net income of any property, however described, of this Church or any Province or Diocese or other Jurisdiction thereof or therein shall inure to the benefit of, or be distributable to, its members or Clergy or other private persons; except that this Church or any Province or Diocese or other Jurisdiction thereof or therein shall be authorised and empowered to pay reasonable compensation for services rendered.

Upon dissolution of the legal organization of this Church or any Province or Diocese or other Jurisdiction thereof or therein as a corporation not-for-profit or as a non-profit corporation or eleemosynary corporation or as a religious, eleemosynary or charitable society, as set forth in Canon 21.1, the College of Bishops of this Church or of the Province, or the Bishop Ordinary of that Jurisdiction, shall, after paying or making provision for the payment of all the liabilities of such corporation or legal organization, dispose of all the assets of such corporation or legal organization exclusively for the purposes of the Church as previously incorporated or legally organised, or if possible to an organization or organizations formed exclusively for such charitable, educational, eleemosynary, or religious purposes as shall at the time of dissolution qualify as a tax exempt organization or organizations, as the College of Bishops of this Church or of the Province, or the Bishop Ordinary, shall determine.

Any such corporate or societal assets not so disposed in accordance with the foregoing provision shall be disposed by order of the Court or Courts of that Civil Jurisdiction in which the principal office of such former corporation or legal organization is situate, exclusively for the purposes or to such organization or organizations, as the Court shall determine to be formed and operated exclusively for such charitable, educational, eleemosynary, or religious purposes.

If this Church or any Province or any Diocese or other Jurisdiction thereof or therein shall be incorporated or legally organised or registered in a Civil Jurisdiction other than one in the United States, such corporation or legal organization or registration shall be subject to the appropriate similar statute or provisions of the Law of that Civil Jurisdiction as may be applicable upon the similar dissolution of such corporation or legal organization, entity or society to effect the purposes.

[201] Formerly Canon 21.14. Amended by the XX Synod of the Original Province (Newport Beach, CA, 2013) to remove references to the United States internal revenue law.

TITLE XXII – OF THE CANONICAL FORMS TO BE USED IN THIS CHURCH.

CANON 22.1. CANONICAL FORMS OF THIS CHURCH.

The Primate, by and with the advice and consent of the College of Bishops of this Church, shall, from time to time issue official Canonical Forms, with directions thereunto provided, for general use throughout the Church.

Such Canonical Forms shall be published in a formal Schedule and may be attached as an appendix to any official publication of these Canons.

CANON 22.2. CANONICAL FORMS OF EACH PROVINCE.

In each Province of this Church the Metropolitan thereof, by and with the advice and consent of his College of Bishops, shall be authorised to issue, from time to time, any additional Canonical Forms thought to be necessary for use in that Province not provided by the means set forth in Canon 22.1.

Such additional Canonical Forms shall be published in a formal Schedule and may be attached as an appendix to any official publication therein of the Constitution or Canons of that Province.

Until such time as there be respectively a Primate and College of Bishops of this Church as set forth in Titles V and VII of these Canons, the Metropolitan of the Original Province of this Church by and with the advice and consent of his College of Bishops, shall exercise the duty and authority provided in Canon 22.1.

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ANNEX 1

SCHEDULE AND GLOSSARY OF TERMS

PURSUANT TO CANON 2.3

(Being Drafted)

ANNEX 2

REQUIREMENTS UNDER CANON 17.3 FOR USE OF FACILITIES OF A CONGREGATION BY NON-MEMBERS OR GROUPS OF NON-MEMBERS OF THIS CHURCH

[Requirements regarding such use of Parish property must be distributed to each Parish or Cure by the responsible Diocese or Jurisdiction, and must contain the following requirements of this Church in addition to any local provisions.]

Requirements Before Permitting Use.

The Rector, Vicar or Priest in Charge or an Officer of the Vestry designated by the incumbent must approve all uses of facilities of that Parish or Cure. Generally, priority shall be given to members of this Church, their immediate families, and organized groups that are part of the Ministry, or a Parish-sponsored organization or activity.

Parish facilities and/or equipment will be made available to non-members or groups of non-members of this Church who meet the following qualifications:

1. Groups or persons requesting facility use must affirm that their beliefs and practices and planned uses of the facilities are consistent with the faith and practice of this Church.
2. The group or person seeking facility use must submit a signed "Parish Facility Reservation Request and Agreement" form approved by the Chancellor of the Jurisdiction.
3. The group or person seeking facility use must be willing to take financial and practical responsibility for the facilities and equipment used, and must also agree to abide by the Parish's rules of conduct for facility use, as stated below and as described in any additional instructions by Parish staff.

    (a) Scheduling Events: Facility use requests shall be made to the Rector, Vicar or Priest in Charge or an Officer of the Vestry designated by him, by submitting the completed and signed "Parish Facility Reservation Request and Agreement" form. Provided there is no conflict with a previously scheduled event, the event requested will be reserved and placed on the Parish calendar only when the Rector, Vicar or Priest in Charge or an Officer of the Vestry designated by him approves the use.

    (b) Fees: Use of Parish facilities is subject to a use and maintenance fee of *[state monetary amount]* to pay for the upkeep of Parish facilities. Parish Members are not required to pay a fee for usage because maintenance of the facilities are in general derived from Member tithes and offerings.[†]

(c) Facility Use Guidelines:

1. Smoking or use of nicotine-inducing devices is prohibited in any indoor Parish facilities.
2. Groups are required to occupy only those areas of the facility that the group has reserved.
3. Equipment, such as tables and chairs, must be returned to original placement, unless arranged otherwise prior to the event.
4. All lights must be turned off and doors locked upon departure.
5. Clean-up – if the group using the facility is to clean-up, the specifics for satisfactory clean-up will be provided. Alternatively, the Parish may charge a clean-up fee.
6. Abusive or foul language, violent behaviour, and recreational drug use are strictly prohibited on Parish premises. Any person exhibiting such behaviour will be required to leave the premises.

(d) Insurance: For all non-Parish-sponsored events, the group or person using the facilities must obtain liability insurance coverage in the amount of at least *[state monetary amount]* and exhibit a receipt for such coverage to the officer approving use for the event. The user must sign the "Facility Use Agreement" and also an "Indemnity and Hold Harmless Agreement."

† [**Note:** Whether a Parish charges a fee for facility use is up to its discretion. However, charging below-market rates, or no fee at all, helps Parishes avoid being considered a public accommodation under secular governing law. Public accommodations are generally subject to a variety of secular laws, including laws regarding non-discrimination. For this reason it is advisable to either charge no fee (except for perhaps a cleaning or other incidental fee) or to charge a below-market fee. In any event, the Parish may also wish to require a refundable security deposit to pay for any damages to the facilities.

[END]